



Report to the Auburn City Council

Action Item	9
Agenda Item No.	
City Manager's Approval	

To: Mayor and City Council Members
From: Reg Murray, Senior Planner
Date: October 14, 2013
Subject: Rezone – Regional Commercial–Emergency Shelter Zone District (Auburn Ravine Road Project Area) – File # RE 13-3

The Issue

Should the Auburn City Council adopt the Initial Study and Negative Declaration prepared for this project in accordance with the California Environmental Quality Act (CEQA), and approve a Rezone proposal that would rezone nine lots, generally located west of Auburn Ravine Road and north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES)?

Recommended Motion (Denial of Rezone)

On Tuesday, September 17, 2013, the Auburn Planning Commission recommended, by a vote of 5-0, that the Auburn City Council take the following action:

- A. By Motion, deny the Rezone proposal to rezone nine lots, generally located west of Auburn Ravine Road and north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES).

Alternative Motion (Approval)

If the City Council supports the rezone proposal for the Auburn Ravine Road project area, staff recommends the following actions:

- B. By Motion, adopt the Initial Study and Negative Declaration prepared in accordance with the California Environmental Quality Act (CEQA) for the Auburn Ravine Road project area rezone (Exhibit A); and
- C. By Motion, introduce and hold a First Reading, by title only, of the attached Ordinance (Exhibit B) which approves the Rezone proposal to rezone nine lots, generally located west of Auburn Ravine Road and north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES).

Background

In 2007, the State enacted Senate Bill 2 (SB 2) which amended California Government Code Section 65583 by requiring that jurisdictions plan for emergency shelters in the Housing Element (Element) of the General Plan. Jurisdictions must identify at least one zone district that can accommodate at least one year-round emergency shelter; and, emergency shelters must be allowed as a permitted use (i.e. jurisdictions cannot require a use permit or other discretionary permit). An emergency shelter is generally defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less.

In order to satisfy the requirements of SB 2, the Auburn Planning Commission and the Auburn City Council have considered different options over the course of several meetings from March-August, 2013. Options reviewed by the City have included: 1) allowing emergency shelters in the Industrial (M-2) zone district; 2) allowing emergency shelters via an overlay zone designation; 3) partnering with Placer County to jointly provide an emergency shelter; 4) and consideration of several locations throughout the community including, but not limited to, the Auburn Airport, various zone districts, Nevada Street, and Wall Street.

The Auburn City Council, at its meeting on Monday, August 12, 2013, considered various location alternatives and received public input on potential options. After deliberation, the Council identified several lots along Auburn Ravine Road, north of Elm Avenue as potentially appropriate lots for emergency shelters (Attachment 1). Council directed staff to prepare the necessary amendments to the City of Auburn Municipal Code (AMC) that would establish a zone district allowing emergency shelters “by right”, and also directed staff to prepare the necessary Rezone entitlement that would enable the City to rezone the project area to allow emergency shelters. This report addresses the Council’s direction to provide the required Rezone entitlement for the Auburn Ravine Road project area. A separate entitlement for the necessary code amendments to establish the C-3-ES zone district is being processed concurrent to this Rezone.

Regional Commercial - Emergency Shelter Rezone

The current proposal rezones the Auburn Ravine Road project area from Regional Commercial (C-3) to the new Regional Commercial – Emergency Shelter (C-3-ES) zone district. The project area is illustrated with Attachment 1; Attachment 2 provides an aerial view of the area, and Attachment 3 shows the existing zoning for the project area and surroundings.

The new C-3-ES zone includes all permitted and conditionally permitted uses allowed in the C-3 zone and adds emergency shelters (i.e. homeless shelters) as a use permitted by right, subject to development standards. The existing C-3 zone district allows a wide variety of permitted and conditionally permitted uses, including retail, office, and services. Comparable uses allowed in the C-3 zone include apartments and rental housing, hotels/motels, and large residential care facilities (with use permit).

All emergency shelters permitted in the C-3-ES zone district will be subject to the development standards that are included with the new code amendment establishing the C-3-ES zone (see draft ordinance included as part of Attachment 4). Key features of the development standards include:

- a. Occupancy – Maximum occupancy in a permanent shelter will be twenty-five (25) individuals.
- b. Parking - Shelters must provide parking for each staff member and every four occupants.
- c. Management – Standards are included for shelter management, including a minimum of two staff members at all times; security personnel; and, coordination with the Police Department regarding the names of persons residing at the shelter.
- d. Facilities – Shelters will be required to provide certain minimum facilities including common areas for use by the occupants; secure storage facilities; laundry facilities; and at least two showers.
- e. Operations Plan – Shelters will prepare and maintain an operations plan which address issues such as security, safety, noise control, admission and discharge procedures, training, communication, and the prohibition of smoking, drinking, and non-prescription drug use.

The development standards summarized above, and detailed with the new code amendments, are consistent with the California Government Code provisions required by SB 2 and are intended to insure the safe, effective, and efficient operation of each emergency shelter and compatibility with the designated sites.

Planning Commission Meeting – September 17, 2013

The Auburn Planning Commission held a public hearing on Tuesday, September 17, 2013 to consider the proposal to rezone the Auburn Ravine Road project area. The Planning Commission staff report for the September 17th hearing provides a more detailed summary of the existing site, zoning, surrounding land uses, the proposed ordinance, and development standards (see Attachment 4).

The Commission received testimony from 13 individuals, including affected owners of properties in the proposed project area; all of the speakers expressed their opposition to the rezone proposal. The Planning Commission considered the proposed rezone and evaluated whether the project area was appropriate for a potential homeless shelter. Based on concerns about the project area and surrounding properties, the Planning Commission voted against the proposal by recommending that the City Council deny the rezone of the properties to the Regional Commercial – Emergency Shelter (C-3-ES) zone district.

The minutes summarizing the statements from all of the public speakers as well as the questions and comments from the commissioners are provided in the attached Planning Commission minutes (Attachment 5).

Public Correspondence

Following the September 17th Planning Commission hearing, the City received several letters associated with the Rezone proposal (see Attachments 6-11). The letters represent property owners within the project area (Attachments 7 and 10), owners and residents in the nearby area, and one Planning Commissioners. All of the letters express opposition to the proposal for the Auburn Ravine Road project area.

Environmental Determination

The Auburn Community Development Department prepared an Initial Study and Negative Declaration for public review (Exhibit A) in accordance with the California Environmental Quality Act (CEQA). A copy of the Negative Declaration was posted for a 20-day review period starting August 29, 2013.

Alternatives Available; Implications of Alternatives

1. Deny the Rezone request as recommended by the Planning Commission. If denied, the City Council should identify an alternative to insure compliance with SB 2.
2. Approve the Rezone request; this would comply with the requirements of SB 2.
3. Continue the request and direct staff to provide additional information.

Fiscal Impact

Minimal fiscal impact associated with preparation of the draft ordinance by Community Development staff in consultation with the City Attorney.

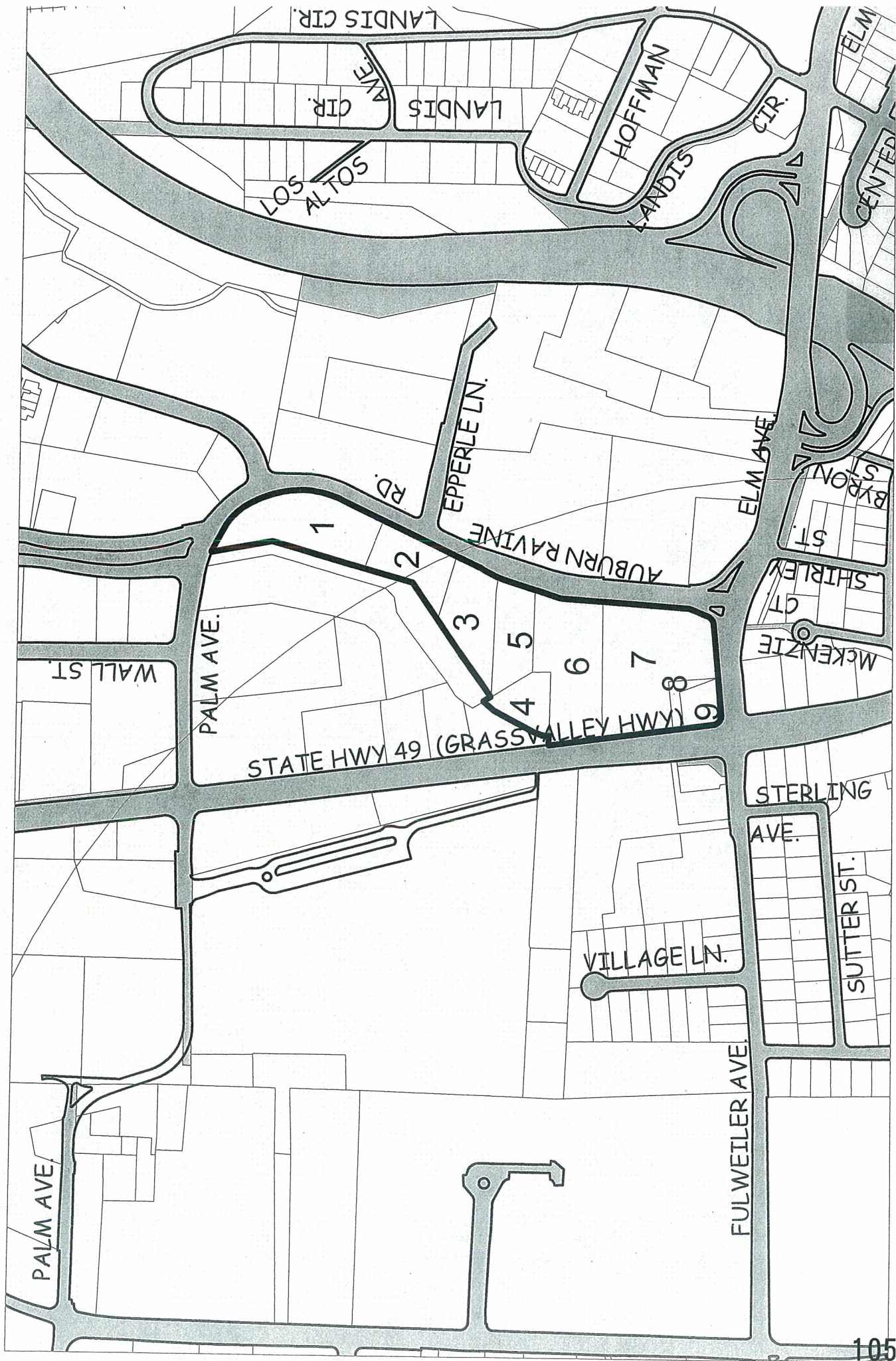
Attachments:

1. Project Area Map
2. Aerial Photo of Project Area
3. Existing Zoning Map of Project Area
4. Planning Commission Staff Report – September 17, 2013
5. Planning Commission Minutes – September 17, 2013
6. Letter from Ann Fenn dated September 26, 2013
7. Letter from Read Investments dated October 4, 2013
8. Letter from Bhakti Banning dated October 4, 2013
9. Letter from Jane Flickinger & James Cummings dated October 5, 2013
10. Letter from Otto Fox dated October 7, 2013
11. Letter from Roger Luebkehan dated October 5, 2013

Exhibits:

- A. Initial Study / Negative Declaration – Auburn Ravine Road Emergency Shelter Rezone
- B. Ordinance – Auburn Ravine Road Emergency Shelter Rezone from C-3 to C-3-ES

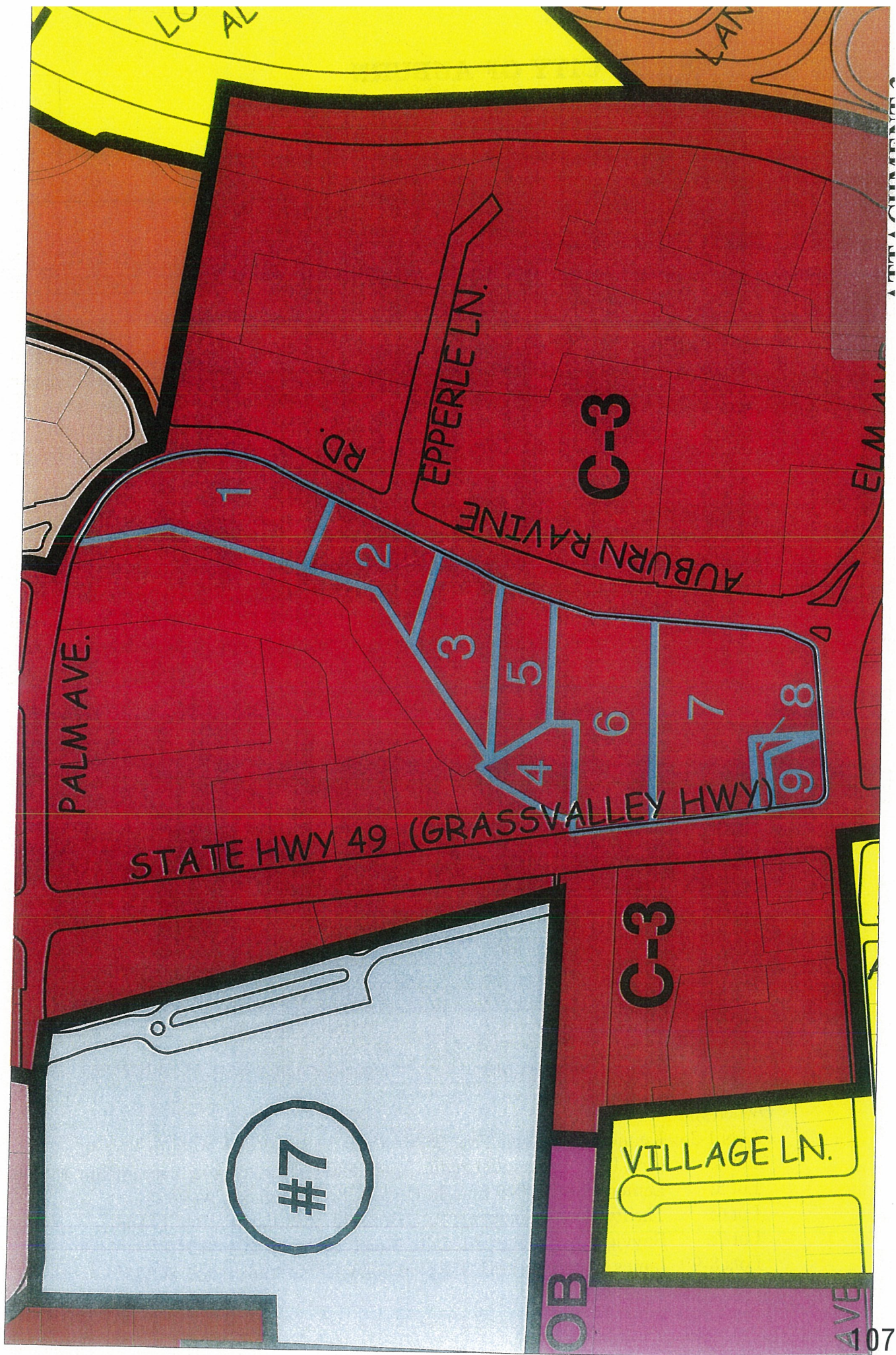
Emergency Shelter Rezone Project Area



Emergency Shelter Rezone - Site Aerial



Emergency Shelter Rezone Project Area - Existing Zoning





CITY OF AUBURN

Planning Commission – Staff Report
Meeting Date: September 17, 2013

Prepared by: Reg Murray, Senior Planner

ITEM NO.
V-B

ATTACHMENT 4

**ITEM V-B: REZONE – REGIONAL COMMERCIAL - EMERGENCY SHELTER
ZONE DISTRICT (AUBURN RAVINE ROAD PROJECT AREA) –
FILE# RE 13-3.**

REQUEST: The City of Auburn is proposing to rezone nine lots, generally located west of Auburn Ravine Road and north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES). The new C-3-ES zone will include all permitted and conditionally permitted uses currently allowed in the C-3 zone while adding emergency shelters for the homeless as a use permitted by right, subject to development standards.

RECOMMENDED MOTION:

Move to adopt Planning Commission **Resolution 13-16**, recommending that the Auburn City Council adopt the Initial Study and Negative Declaration prepared for this project in accordance with the California Environmental Quality Act (CEQA), and approve a Rezone proposal that would rezone nine lots, generally located west of Auburn Ravine Road and north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES), as presented, or as amended by the Planning Commission.

BACKGROUND:

Applicant: City of Auburn

Location; Assessor's Parcel Number; Lot Size (Attachments 1 & 2):

Lot	APN	Address	Size (acres)
1	001-044-043	391 Auburn Ravine Road	±1.57
2	001-044-042	301 Auburn Ravine Road	±0.82
3	001-044-041	271 Auburn Ravine Road	±0.94
4	001-044-030	424 Grass Valley Hwy	±0.51
5	001-044-019	251 Auburn Ravine Road	±0.78
6	001-044-029	420 Grass Valley Hwy	±1.76
7	001-044-027	414 Grass Valley Hwy	±2.35
8	001-044-026	402 Grass Valley Hwy	±0.14
9	001-044-017	402 Grass Valley Hwy	±0.31

Owner(s):

Lots 1-3: Kenneth & Georgia Fox; 8830 Mount Vernon Road; Auburn, CA 95603
Lot 4: First US Community Credit Union; 580 University Ave; Sacramento, CA 95825
Lot 5: Lameret LLC; 7049 Enright Drive; Citrus Heights, CA 95621
Lot 6: Thrifty Realty Company; P.O. Box 8431; Harrisburg, PA 17105
Lot 7: Bayview Associates; 2025 4th Street; Berkeley, CA 94710
Lots 8-9: James Claussen; 1981 S. Robin Lane; Chino Valley, AZ 86323

Site Zoning Designation (Attachment 3): Regional Commercial (C-3)

Site General Plan Designation: Mixed Use (MU)

Site Land Use:

Lot 1: Offices; Automotive Service
Lot 2: Vacant
Lot 3: Mortuary
Lot 4: Bank
Lot 5: Offices
Lot 6: Rite Aid
Lot 7: Grocery Outlet
Lots 8&9: Smog inspection station

Surrounding Zone Districts:

North: Neighborhood Commercial (C-1) and C-3
East: C-3
South: C-3
West: C-3

Surrounding Land Uses:

North: Retail
East: Vacant commercial lot and a commercial shopping center
South: Gas station; office complex
West: Vacant commercial lot (northern end) and various retail commercial (southern end)

HISTORY:

In 2007, the State enacted Senate Bill 2 (SB 2) which amended California Government Code Section 65583 by requiring that jurisdictions plan for emergency shelters in the Housing Element (Element) of the General Plan. With SB 2, jurisdictions must identify at least one zone district that can accommodate at least one year-round emergency shelter; and, emergency shelters must be allowed as a permitted use (i.e. jurisdictions cannot require a use permit or other discretionary permit). An emergency shelter is generally defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less.

The Auburn Planning Commission and the Auburn City Council have considered different options in order to satisfy the SB 2 requirements over the course of several meetings from March-August, 2013. Options reviewed by the City have included: 1) allowing emergency shelters in the Industrial (M-2) zone district; 2) allowing emergency shelters via an overlay zone designation; 3) partnering with Placer County to jointly provide an emergency shelter; 4) and consideration of several locations throughout the community including, but not limited to, the Auburn Airport, various zone districts, Nevada Street, and Wall Street.

At its most recent meeting on the topic (Monday, August 12, 2013), the City Council discussed various location alternatives and received public input on potential options. After deliberation, the Council identified several lots along Auburn Ravine Road, north of Elm Avenue (i.e. the Auburn

Ravine Road project area; see Attachment 1) as potentially appropriate lots for emergency shelters. Council directed staff to prepare the necessary amendments to the City of Auburn Municipal Code (AMC) that would establish a zone district allowing emergency shelters “by right”, and also directed staff to prepare the necessary Rezone entitlement that would enable the City to rezone the project area to allow emergency shelters.

This report addresses the Council’s direction to provide the required Rezone entitlement for the Auburn Ravine Road project area. A separate entitlement for the necessary code amendments to establish the C-3-ES zone district is being processed concurrent to this Rezone. A draft of the proposed ordinance for the code amendments is provided for reference purposes (Attachment 4).

ANALYSIS:

As previously noted, the City is processing the requisite code amendments to establish a zone district whereby emergency shelters are allowed as a use permitted by right (i.e. no additional entitlements would be required, such as a Use Permit). The proposed code amendments (Attachment 4) establish the Regional Commercial – Emergency Shelter (C-3-ES) zone district. The new C-3-ES zone includes all permitted and conditionally permitted uses allowed in the Regional Commercial (C-3) zone while adding emergency shelters for the homeless as a use permitted by right, subject to development standards. The Regional Commercial (C-3) zone district incorporates a wide variety of permitted and conditionally permitted uses, including retail, office, and services. Comparable uses allowed in the C-3 zone include apartments and rental housing, hotels/motels, and large residential care facilities (with use permit).

The City is processing the enabling ordinance for the C-3-ES zone concurrent with this Rezone entitlement. All emergency shelters permitted in the C-3-ES zone district will be subject to the development standards included in the draft ordinance (see Attachment 4). Key features of the development standards include:

1. Occupancy – Maximum occupancy in a permanent shelter will be twenty-five (25) individuals.
2. Parking - Shelters must provide parking for each staff member and every four occupants.
3. Management – Standards are included for shelter management, including a minimum of two staff members at all times; security personnel; and, coordination with the Police Department regarding the names of persons residing at the shelter.
4. Facilities – Shelters will be required to provide certain minimum facilities including common areas for use by the occupants; secure storage facilities; laundry facilities; and at least two showers.
5. Operations Plan – Shelters will prepare and maintain an operations plan which address issues such as security, safety, noise control, admission and discharge procedures, training, communication, and the prohibition of smoking, drinking, and non-prescription drug use.

The standards summarized above, and detailed with the new code amendments, are consistent with the California Government Code provisions required by SB 2, which insures the safe, effective, and efficient operation of each emergency shelter and compatibility with the designated sites.

The status of the lots within the Auburn Ravine Road project area (Attachment 2) is varied and includes vacant (Lot 2), underdeveloped (Lots 1 & 3), and developed lot (Lots 4-9); and, a majority of the sites are large enough to support an emergency shelter (Lots 1-7), with Lots 8&9 being the possible exception (unless merged). The existing uses within the project area, as well as those properties surrounding the project area include compatible uses such as retail commercial, offices and services. The project area and nearby properties include sites and services which are beneficial to the homeless, including the retail centers on Highway 49 and Elm Avenue (e.g. grocery stores; drug stores). The project area is also located on one of the City's transit system lines and near both the multi-modal station on Blocker Drive as well as Placer County transit routes. Proximity to this commercial area and related transit opportunities compliments the future needs of the residents who would be making use of an emergency shelter in the project area.

Based on consistency with the project area and surrounding zoning, proximity to services and transit, and with the incorporation of the City's development standards for emergency shelters, staff supports approval of the Rezone of the Auburn Ravine Road project area from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES).

Public Comment – In response to the public notice for the Planning Commission hearing, the City received two letters in opposition to the Rezone. Both letters are from property owners within the Auburn Ravine Drive project area (see Attachments 5 & 6); the Fox's own Lots 1, 2 & 3 while Mr. Meert owns Lot 5 (see Attachment 1).

Authority – The Planning Commission serves as a reviewing and recommending body to the City Council on Rezone proposals. All comments and recommendations from the Commission will be forwarded to the Auburn City Council for consideration during their deliberations. The City Council is tentatively scheduled to consider the Rezone proposal on Monday, October 14th.

ENVIRONMENTAL SUMMARY:

The Auburn Community Development Department prepared an Initial Study and Negative Declaration for public review (Exhibit B) in accordance with the California Environmental Quality Act (CEQA). A copy of the Negative Declaration was posted for a 20-day review period starting August 29, 2013.

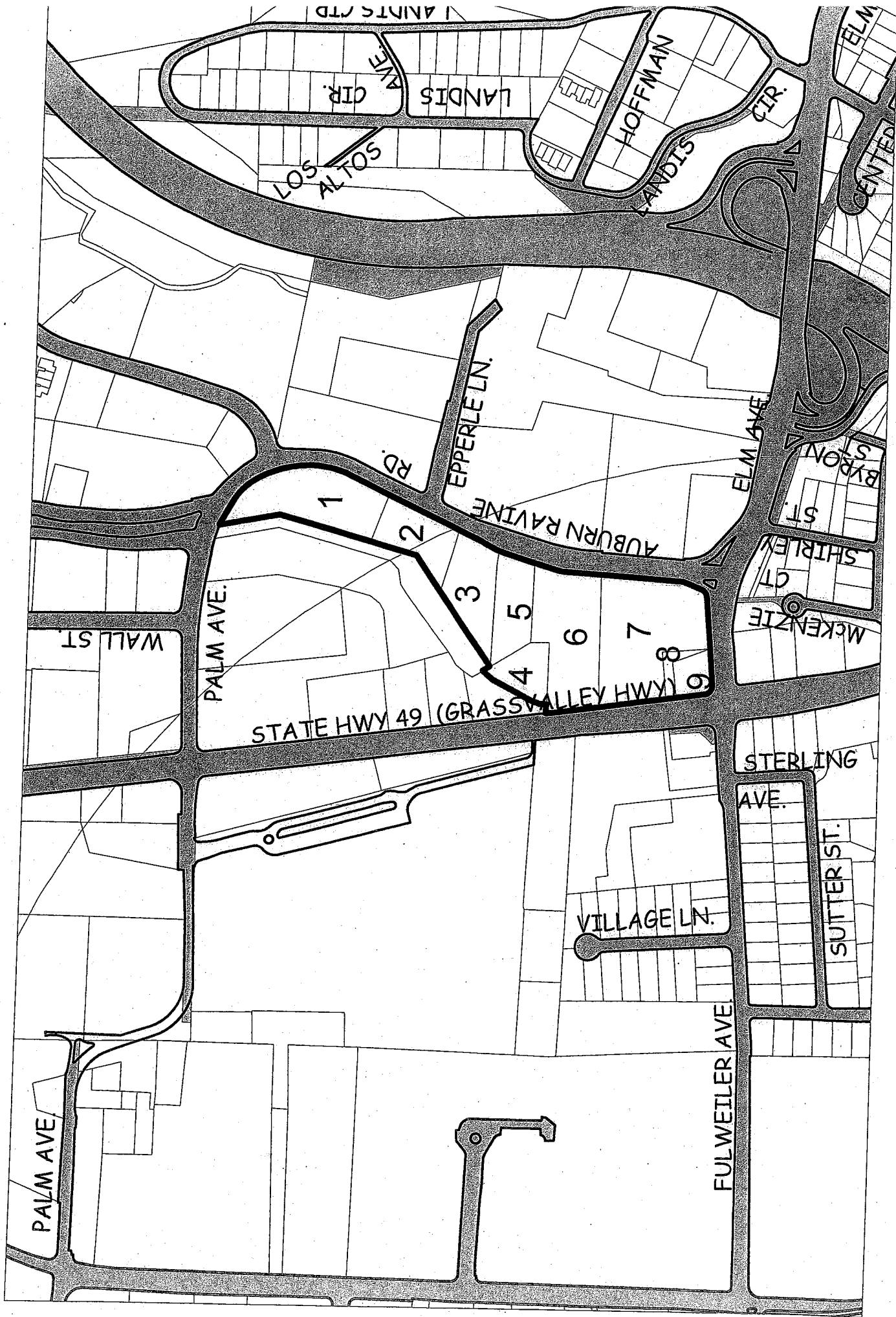
ATTACHMENTS

1. Vicinity Map
2. Aerial Photo with Lots Numbered
3. Existing Zoning Map
4. Draft Ordinance for Regional Commercial – Emergency Shelter (C-3-ES) Zone District
5. Letter from Kenneth & Georgia Fox dated August 28, 2013
6. Letter from Arnold Meert dated August 30, 2013

EXHIBITS

- A. Planning Commission Resolution 13-16 - Nevada Street Emergency Shelter Overlay Zone
- B. Initial Study / Negative Declaration – Auburn Ravine Road Emergency Shelter Rezone

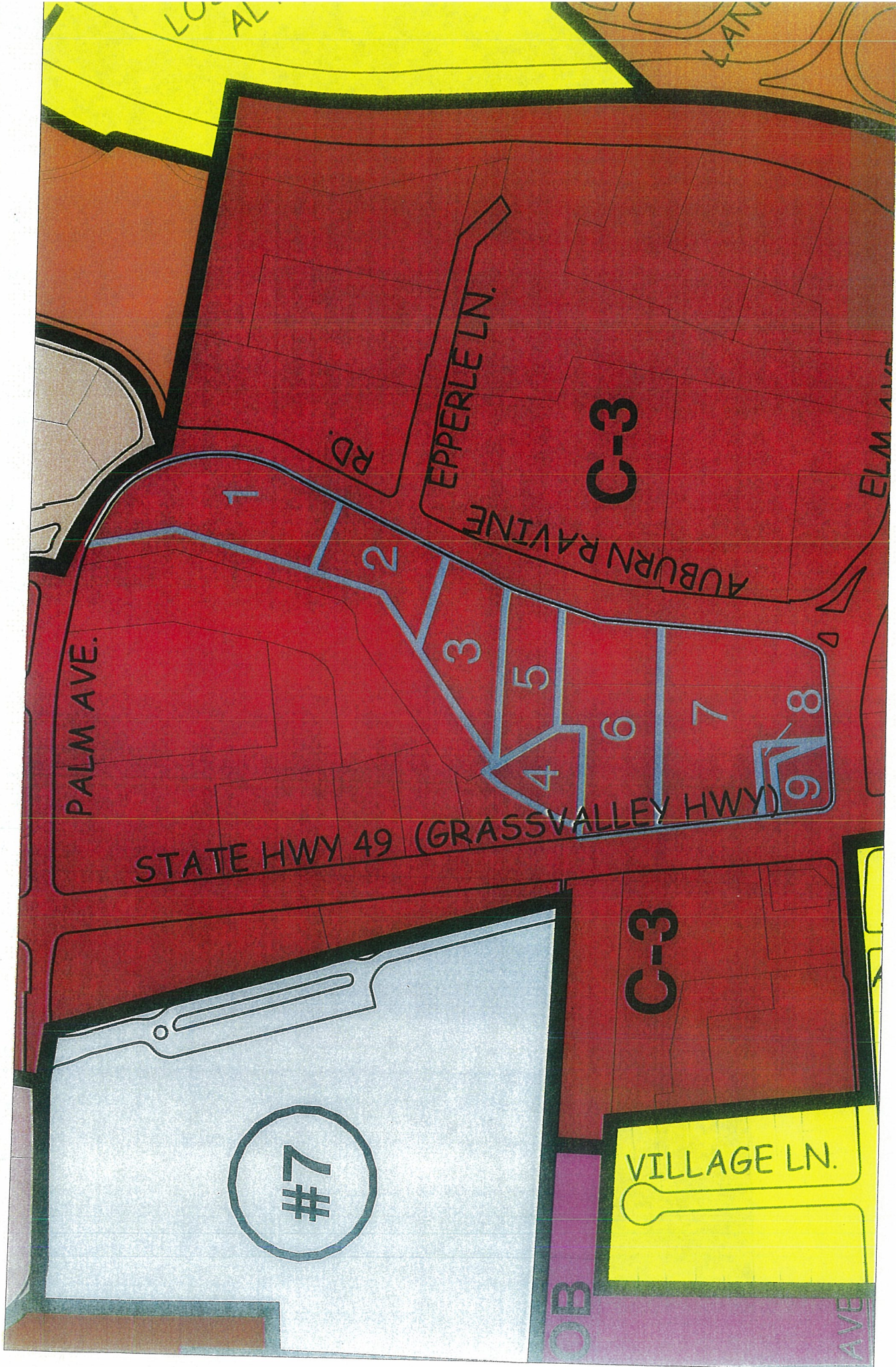
Emergency Shelter Rezone Project Area



Emergency Shelter Rezone - Site Aerial



Emergency Shelter Rezone Project Area - Existing Zoning



ORDINANCE NO. 13 - _____

AN ORDINANCE WHICH: 1) ESTABLISHES THE REGIONAL COMMERCIAL - EMERGENCY SHELTER (C-3-ES) ZONE DISTRICT; 2) ESTABLISHES STANDARDS FOR PERMANENT AND TEMPORARY EMERGENCY SHELTERS; AND 3) PERMITS SUPPORTIVE HOUSING AND TRANSITIONAL HOUSING IN THE MULTIPLE-FAMILY (R-3) ZONE DISTRICT

THE CITY COUNCIL OF THE CITY OF AUBURN HEREBY FINDS AS FOLLOWS:

- A. Whereas Chapter 633, Statutes of 2007 (SB 2) clarifies housing element law to ensure that zoning encourages and facilitates emergency shelters and limits the denial of emergency shelters and transitional and supportive housing under the Housing Accountability Act; and
- B. Whereas the City of Auburn General Plan Housing Element identifies implementation programs to promote equal housing opportunities for all persons; and
- C. Whereas the City of Auburn General Plan Housing Element includes Program N to accommodate emergency shelters and transitional and supportive housing; and,
- D. Whereas the City of Auburn desires to ensure sufficient capacity to house the City's homeless population in conformance with SB 2; and
- E. Whereas the City of Auburn desires to recognize transitional and supportive housing in conformance with SB2.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY ORDAIN:

Section One: Amend Section 159.001 (Definitions) of Title XV of the City of Auburn Municipal Code to revise the definition of **FAMILY** and add definitions for **EMERGENCY SHELTER**, **INSTITUTIONAL USE**, **SUPPORTIVE HOUSING** and **TRANSITIONAL HOUSING**, to read as follows:

EMERGENCY SHELTER. Shall have the same meaning as defined in subdivision (e) of Section 50801 of the Health and Safety Code.

FAMILY. One or more persons living together in a dwelling unit, with common access to, and common use of all living, kitchen, and eating areas within the dwelling unit.

INSTITUTIONAL USE. Shall include premises associated with, but not limited to, places of worship, hospitals, educational facilities, and community service organizations.

SUPPORTIVE HOUSING. Shall have the same meaning as defined in subdivision (b) of Section 50675.14 of the Health and Safety Code.

TRANSITIONAL HOUSING. Shall have the same meaning as defined in subdivision (h) of Section 50675.2 of the Health and Safety Code.

Section Two: Amend Section 159.032 (Medium Density Multiple-family Residential District (R-3)) of Title XV of the City of Auburn Municipal Code by adding the following permitted uses:

- (A)(4) Supportive Housing
- (A)(5) Transitional Housing

Section Three: Amend Title XV, Section 159.015 (Established) of the City of Auburn Municipal Code to read as follows:

- (Z) Combining District (-P);
- (AA) Central Business -A District (C-2A); and
- (BB) Regional Commercial - Emergency Shelter District (C-3-ES)

Section Four: Amend Title XV, Chapter 159 of the City of Auburn Municipal Code by adding Section 159.047 (Regional Commercial - Emergency Shelter) as follows:

159.047 REGIONAL COMMERCIAL – EMERGENCY SHELTER (C-3-ES).

(A) The provisions of this subchapter are adopted to provide regulations which encourage and facilitate the operation of, development of, or conversion to, emergency shelters in accordance with state law and the city's adopted housing element.

(B) The following uses shall be permitted in the Regional Commercial – Emergency Shelter (C-3-ES) zone district:

1. All uses as permitted in the C-3 District.
2. Emergency shelters.

(C) Emergency shelters shall be subject to the following development standards:

1. **Occupancy.** The maximum number of occupants shall not exceed twenty-five (25).
2. **Parking Requirements.** Emergency shelters shall provide one parking space for every staff member present plus one parking space for every four (4) residents.
3. **Management.** The following management standards shall apply:
 - a. On-site management shall be provided by at least two (2) emergency shelter staff members at all times while clients are present at the shelter.
 - b. Security personnel shall be provided on-site during hours of operation.

- c. Hours of Operation. Shelters shall establish and maintain set hours for client intake/discharge, which must be prominently posted on-site.
 - d. Management shall maintain an active list of names of all occupants at the shelter. The list shall be provided to the Police Department upon request. Management shall notify the Police Department if they remove an occupant from the shelter.
4. **Facilities.** Shelters shall be situated in permanent premises and shall provide the following facilities:
- a. An intake/waiting area shall be provided so that clients are not required to wait on sidewalks or any other public rights-of-way.
 - b. Common area for the use of residents.
 - c. Laundry facilities.
 - d. Shower facilities – provide a minimum of two (2) showers.
 - e. Secure areas shall be provided for personal property.
 - f. Adequate interior and exterior lighting shall be provided.
 - g. Telephones shall be provided for use by clients.
5. **Operations Plan.** An operations plan is required for all emergency shelters to address management experience, good neighbor issues, transportation, client supervision, client services, and food services. The plan shall be submitted to and approved by the Community Development Department and Police Department prior to operation of the emergency shelter. The approved plan shall remain active throughout the life of the facility, and all operational requirements covered by the plan shall be complied with at all times. At a minimum, the plan shall include:
- a. A floor plan demonstrating compliance with the physical standards of this chapter.
 - b. Security and safety. Address both on- and off-site needs, including provisions to insure the security and separation of male and female sleeping areas, as well as any family areas within the facility.
 - c. Loitering/noise control. Include specific measures regarding operation controls to minimize the congregation of clients in the vicinity of the facility during hours that clients are not allowed on-site and/or services are not provided.
 - d. Management of outdoor areas. Include a system for daily admittance and discharge procedures and monitoring of waiting areas with a goal to minimize negative impacts to adjacent property.
 - e. Staff training. Insure adequate knowledge and skills to assist clients in obtaining permanent shelter.
 - f. Communication and outreach. Provide objectives to maintain effective, ongoing communication and response to operation issues which may arise within the neighborhood as may be identified by the general public or City staff.

- g. Adequate and effective screening. Identify the admittance eligibility of clients.
 - h. Litter control. Provide for the regular daily removal of litter attributable to clients within the vicinity of the facility.
 - i. Smoking/drinking/drugs. The possession, sale, and use of alcohol, tobacco, and illicit drugs shall be prohibited.
 - j. The names and contact information of all responsible parties.
- 6. Zone Specific Development Standards. An emergency shelter shall comply with all applicable development standards of the Regional Commercial zone district.
 - 7. The facility shall comply with all applicable state and local housing, building, and fire code requirements.
 - 8. The facility shall comply with all applicable state and local licensing as required for any program incidental to the emergency shelter.

Section Five: Amend Title XV, Chapter 159 of the City of Auburn Municipal Code by adding Section 159.380 (Temporary Emergency Shelters) as follows:

159.380 TEMPORARY EMERGENCY SHELTERS

- (A) The provisions of this subchapter are adopted to provide regulations which encourage and facilitate the operation of temporary (nomadic) emergency shelters.
- (B) Temporary emergency shelters are permitted as part of an institutional use.
- (C) Temporary emergency shelters shall be subject to the following standards:
 - 1. Temporary emergency shelters shall conform to the development standards identified in Section 159.047, except as modified below.
 - 2. The maximum number of occupants shall not exceed 60 persons during normal operations, and 75 occupants on severe weather dates.
 - 3. Temporary emergency shelters are not subject to any distance separation requirements.
 - 4. Emergency shelters shall not operate at the same premises more than four (4) nights per week.
 - 5. The shelter shall not operate more than 12 hours per day.
 - 6. The provision of laundry services and at least two showers shall be included as part of the Operations Plan.

Section Six: This Ordinance shall take effect thirty days following its adoption as provided by Government Code Section 36937.

Section Seven: The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code Section

36933, a summary of this Ordinance may be published and posted in lieu of publication and posting of the entire text.

Section Eight: If any part of this Ordinance is held to be invalid, such invalidity shall not affect any other provision which reasonably can be given effect without regard to the invalid provision and, to that end, the provisions of this Ordinance are hereby declared to be severable.

DATED: _____, 2013

Kevin Hanley, Mayor

ATTEST:

Stephanie L. Snyder, City Clerk

I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify that the foregoing ordinance was duly passed at a regular session meeting of the City Council of the City of Auburn held on the _____ day of _____ 2013 by the following vote on roll call:

Ayes:
Noes:
Absent:

Stephanie L. Snyder, City Clerk

Mr. Will Wong
Community Development Director
1225 Lincoln Way
Auburn, Ca. 95603

August 28, 2013

Kenneth H. and Georgia M. Fox
8830 Mt. Vernon Road
Auburn, Ca 95603

RECEIVED

AUG 29 2013

COMMUNITY DEVELOPMENT
CITY OF AUBURN

Dear Mr. Wong:

This letter is written to direct your attention to the City of Auburn meeting August 13, 2013. The agenda was in particular the compliance of Senate Bill #2 in 2007, designating areas where permanent shelters for the homeless can be constructed. The area chosen was voted for without notifying the owners and residents of the area specified.

As owners of 1100 front feet in the specified area, we object totally. It is unconscionable that the City of Auburn who owns property in complete compliance with this Senate Bill, would disrupt the lives of its citizens in order to not use its own land that it wants to save for future development.

It is obvious that the political pressure is upon you as your deadline is October 2013. In our opinion, it seems impossible for you to shift the burden of your negligence upon us as owners and residents of this area.

The unfortunate homeless, people with mental problems, criminals let out of jail and juvenile problem people do not have the right to jeopardize the lives, health and safety of us that work and reside on Auburn Ravine.

The social impact would be horrendous. We have lived next to an unsupervised group of mentally ill and socially uncontrolled group, whom have usurped the beautiful walkway that was created for the elderly and citizens. We have existed with screams and vulgarities, fights and the aroma of drugs. This has been a latrine for the homeless for years as there are no facilities other than the stores that are near This exists behind our office at 391 Auburn Ravine Road.

This area was dreamed of and implemented by a citizen of Auburn, George Beland, who wanted nothing but beauty for the citizens.

We have called for help numerous times from the Auburn Police Department. We have been told in essence that they have to be hands off. We witnessed the removal of a dead woman a few months ago. She frequented the area almost daily, visiting the large group of men that gathered at the city's picnic table so conveniently secluded in the wooded area. The notice of her death was a very carefully written article in the Auburn Journal that would not alarm our neighbors.

For some unknown reason, since the council's decision, this area has been cleaned up and now looks decent. This looks suspiciously political to us. This is destruction to the value of our land and buildings and to the future of this area.

In the not too distant future, our land will be handed to our very capable children. It will be up to them to develop this area. In the mean time, it is our opinion that you do not have the indiscriminate right to blight our property and that of our neighbors.

Sincerely,

Kenneth H. Fox DDS and Georgia M. Fox

Cc: Auburn City Council

*Kenneth H. Fox
Georgia M. Fox*

City Of Auburn,
Auburn Planning commission,
Auburn City Council,

8-30-13

Dear Sirs:

I received a notice today from the City of Auburn and spoke then with Mr. Reg Murray regarding a Rezoning proposal change for the property I own at 251 Auburn Ravine Rd. Auburn, Ca 95603. The rezoning would be a change from C-3 to C-3-ES. He described the proposal to me. He explained the city's need to find a place to satisfy a state requirement, and that my property and area were being investigated as a place to change the zoning.

I expressed with Mr Reg Murray some of my concerns over this change. I am unable to be present at the hearing scheduled for Tuesday September 17, 2013 and would like this letter to represent me and my property at these hearings and any other meetings, hearings or discussions regarding this proposed zone change to this area. Please submit this letter as part of the formal discussion and minutes.

I have a Professional Office building with good professional tenants and a government agency leasing the space. I have made several upgrades to the property and I am in the plans for starting more upgrades to the property shortly. I am helping Auburn look better in upgrading this building.

I have invested a lot of financial resources into my property to deal with the problem of the homeless. They believe my property is theirs to use as a sleeping quarters, a bathroom, and a smoking lounge. They leave their cigarettes burning on my wood deck, and I fear for fire. I send people to clean up their fecal matter or neutralize their urine odor on the walks and stairs. My tenants have to wake them up and send them on their way so the customers can get to their offices. My tenants have been tolerant but their patience is thin and I risk loosing their leases.

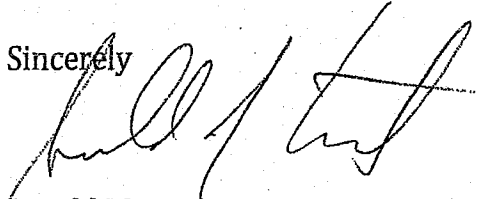
I built a \$17,000 wrought iron fence around the property, only to just slow the homeless use. I have just installed \$24,000 worth of High definition cameras with web access, to monitor when they come and go. They are still defiant. My manager is now searching for a company to start paying several hundred dollars a month for a service to watch for them and have them removed. The homeless are a very high expense item on my budget.

I object to the proposed zoning change for the following reasons.

- 1) I cannot run a profitable business with additional homeless problems. They are breaking my checkbook.

- 2) The value of the property will drop and it will become hard to sell. I, like you, am not in the business of buying high and selling low.
- 3) All of the properties are expensive business parcels, except for APN: 001-044-(041,042,043). No one will use their finances to purchase the expensive business properties on a main highway and turn them into homeless shelters. The 3 minimally improved properties that could be used for the homeless, lie adjacent to my property.
- 4) These 3 properties potentially could be bought and used to set up inexpensive "emergency" homeless facilities. I see a tent city with porta potties. Homeless lounging on my fence gazing at the patients and customers as they arrive. Then the inevitable, the uncomfortable customers choosing to go elsewhere along with my tenants. This rezoning is a financial suicide for my property.
- 5) Rezoning the area to allow for Emergency shelters for the homeless will bring more homeless to this particular area.
- 6) I could build a 12 foot brick wall to shield the view of the homeless camps. But this will not deter my tenants from leaving. Business is hard enough without this added burden.
- 7) An alternative is to find a low value property area along side noisy railroad tracks. Cut the grass, trim the trees and put in bathrooms. Find a class D building next door for a food kitchen. This now would be an affordable area that people could buy, operate, and help the homeless. This would be a much better place to rezone, house, and take care of them. Using an area next to down town or businesses destroys the city and its people. I am sure the Auburn City Council and Planning Commission can find another more appropriate place than the proposed area. You are use to solving hard problems in good ways. We need to do that here.
- 8) If you choose to rezone this area, you will need to provide financial support to the police and business, like mine, to deal with the homeless costs. I cannot continue to bear the whole costs on my own. If the Auburn City council creates a problem it is responsible for taking care of it.
- 9) I have invested enough money into the homeless. I do not want to pay my attorney to fight this zoning change. But I will employ him to do that if this site continues to be selected.
- 10) Please, Please, Please, let's find a better solution!

Sincerely



Arnold Meert

Manager Lameret LLC

Owner: 251 Auburn Ravien Rd.

The motion was **APPROVED**.

The Planning Commission unanimously stated that the Regional Commercial (C-3) zone is not an appropriate zone for emergency shelters, that the Industrial (M-2) zone district is the most appropriate zone district for emergency shelters, and that the Council should reconsider the M-2 zone.

Chairman Spokely explained to the public the actions taken by the Commission.

- B. REZONE – REGIONAL COMMERCIAL-EMERGENCY SHELTER (AUBURN RAVINE ROAD PROJECT AREA) – FILE# RE 13-3.** The City of Auburn is proposing to rezone nine (9) lots, generally located west of Auburn Ravine Road and north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES). The new C-3-ES zone will include all permitted and conditionally permitted uses currently allowed in the C-3 zone while adding emergency shelters for the homeless as a use permitted by right, subject to development standards.

Planner Murray presented the staff report for the Regional Commercial – Emergency Shelter (C-3-ES) rezone proposal associated with the Auburn Ravine Road project area. He reviewed the rezone proposal and the project area, as well as the existing zoning and land uses of the project area and the surrounding properties. He noted that the project area could be considered an appropriate location give compatibility with uses in the zone, size and availability of parcels, proximity to services and transit, and applicability of the C-3-ES development standards.

Commissioner Worthington commented that only one of the lots is vacant and questioned why the area was selected.

Planner Murray noted that the State has no requirements as to whether the parcels in the selected zone district are developed or undeveloped.

Commissioner Worthington commented on different ways to review and evaluate properties.

Chairman Spokely asked if someone could apply to the City for a use permit to operate an emergency shelter currently.

Planner Murray stated that the City's zoning ordinance does not currently address emergency shelters; and that, barring an opinion to the contrary from the City Attorney, if a use is not included in the ordinance that use is not permitted in the City.

Director Wong reaffirmed that a use is not permitted if it is not included in the City's zoning ordinance. The City has not received a request for a shelter since the

adoption of SB 2; though if it had, it would have been compelled to complete the code amendment process at that time.

Chairman Spokely opened the public hearing.

Jerry Mifsud, Auburn Villa Apartments, asked about using a County juvenile facility on Epperle Lane.

Planner Murray noted that the building on Epperle Lane is a school district administrative office, not a County juvenile facility.

Ralph Smith, property owner of 430 Grass Valley Hwy, supports the Commission's recommendation to deny the C-3-ES zone. He also opined that it isn't a good long-term decision to locate a homeless shelter in the proposed area given the high volume of traffic on Highway 49; and, he envisioned the proposed area looking like The Fountains development in Roseville one day.

Otto Fox expressed his concern for the proximity of the proposed area to E.V. Cain School.

Mike Granata, 436 Grass Valley Highway, agreed with the Planning Commission recommendation opposing the C-3 zone.

Walter Winfrey, 391 Auburn Ravine Road, asked why a shelter in the area would have to tear down what is already present.

Curtis Fox, Colfax, stated that putting a homeless shelter in the proposed area will negatively affect properties within 500 feet and would constantly require police supervision.

Bernadette Ambers, McCaulou's store manager, stated there are existing safety issues for her employees, i.e. employees being accosted, due to the current homeless population and she is concerned about adding more homeless individuals to the area if a shelter were to be built.

Bhakti Banning, resident in Auburn Villa; asked if the Fox family would be forced to sell their property for a shelter.

Commission Willick indicated that they would not be forced to sell.

Commissioner Worthington stated that the City's responsibility is to identify a zone district (for shelters), but not to build one.

Ms. Banning expressed her concern for the safety of the many seniors in the area. She also pointed out a homeless encampment next to her apartment complex and recounted several acts by the homeless against individuals and property in the area.

Ellen Caraska questioned if property owners could still use their property as they are currently allowed to; whether an owner could be compelled to sell their property; and whether there might be any future State laws requiring property owners with emergency shelter zoning to sell their property. Ms. Caraska also expressed concern that a shelter will negatively affect local businesses.

Terry Henline, manager of the Auburn Villa Apartment, commented about the existing problems with homeless individuals in the area and expressed his concern for the safety of children and the area's numerous seniors if a shelter were to go in the proposed area.

Walt Winfrey recommended putting shelters in the industrial zone.

Ken Fox stated that the homeless and a shelter would have a negative effect on the commercial area and tourism.

Jean Flickinger expressed her concern the negative effect that a shelter has on surrounding properties and property values.

Frank Caraska stated his support for the industrial zone and his opposition to zoning for the C-3 zone.

Chairman Spokely closed the public hearing.

Commissioner Worthington **MOVED** to recommend denial of the Rezone of the Auburn Ravine Road project area from Regional Commercial (C3) to Regional Commercial - Emergency Shelter (C3-ES).

Commissioner Luebkehan **SECONDED** the motion.

AYES:	Luebkehan, Spokely, Vitas, Willick, Worthington
NOES:	None
ABSTAIN:	None
ABSENT:	None

The motion was **APPROVED**.

VI. COMMUNITY DEVELOPMENT DEPARTMENT FOLLOW-UP REPORTS

A. City Council Meetings

None

B. Future Planning Commission Meetings

None

C. Reports

None

VII. PLANNING COMMISSION REPORTS

The purpose of these reports is to provide a forum for Planning Commissioners to bring forth their own ideas to the Commission. No decisions are to be made on these issues. If a Commissioner would like formal action on any of these discussed items, it will be placed on a future Commission agenda.

VIII. FUTURE PLANNING COMMISSION AGENDA ITEMS

Planning Commissioners will discuss and agree on items and/or projects to be placed on future Commission agendas for the purpose of updating the Commission on the progress of items and/or projects.

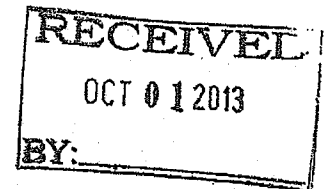
IX. ADJOURNMENT

The meeting adjourned at 9:00 p.m.

Respectfully submitted,

Reg Murray

September 26, 2013



To: Amy Lind, City Clerk
Auburn City Hall
1225 Lincoln Way
Room 8
Auburn, CA 95603

From: Ann Fenn
746 Dorothy Way
Auburn, CA 95603

ATTACHMENT 6

Re: The Zoning and Location of the SB 2 Homeless Shelter

Dear Amy Lind:

Thank you for including my letter, directed to the Mayor and all City Council members, in their packet for the October 14, 2013 City Council meeting.

Mayor Hanley and City Council:

I own one of 68 units at my Auburn condominium located off of the intersection of Marguerite Mine Rd and Auburn Ravine Rd. As such, I am impacted unfavorably by your 3-2 vote to rezone the Fox parcels to meet the SB 2 Homeless Shelter requirements. I support the 5-0 veto of your decision by the Planning Commission.

None of the businesses or residents in this R-3 zone were notified of your pending decision, and most do not support it. Approximately 1000 people, many of them seniors, are impacted by your decision to zone for this facility in the corridor formed by Mikkelson and Auburn Ravine.

I am a tax paying resident of Auburn and I do not support your choice. I support a better choice being found before the coming deadline.

Sincerely,

A handwritten signature in cursive script that reads "Ann Fenn".

Ann Fenn



READ INVESTMENTS
REAL ESTATE DEVELOPMENT & MANAGEMENT

ATTACHMENT 7

October 4, 2013

Auburn City Council
City Hall
1225 Lincoln Way
Auburn, CA 95603

[Sent via email: rmurry@auburn.ca.gov]

**RE: ORDINANCE AMENDMENT – EMERGENCY SHELTERS,
TRANSITIONAL HOUSING, AND SUPPORTIVE HOUSING**

Dear Mayor Hanley and Councilmembers:

Read Investments represents the owners of 414 Grass Valley Highway, also known as the Auburn Grocery Outlet. While we understand the City's need to comply with state laws by creating a zoning district that allows for shelters "by right" we object to the current area being considered for rezoning.

We believe this proposal negatively impacts property rights and we are concerned about other unintended consequences a decision like this may have in the future. Grass Valley Highway serves as a gateway to the community and the retail businesses along this corridor provide much needed goods and services, as well as valuable tax revenue to the City. We do not believe emergency shelters and transitional housing are a use that mixes well with Regional Commercial zoning.

We respectfully request the City consider alternative locations that are more appropriate for this use and also able to accommodate the necessary support services which would be required for such shelters and housing.

Sincerely,

Scott Huffman
as Agent for RI-Auburn, LLC
shuffman@readinvestments.com
(510) 704-5702

October 4, 2013

Letter to Auburn City Council,

This is my second letter regarding the zoning and possible placement of a 25 bed homeless shelter along Auburn Ravine near the Giant Statues.

I will reiterate again about my concern for the safety of seniors walking to stores in the area. It is about *feeling safe*. Many seniors are not allowed to drive thereby choosing to live within walking distance for their everyday necessities. In fact, I'm told the sidewalk from Palm St. to Rite-Aid was built by the Kiwanis for the convenience of senior walkers. (not verified)

With that in mind, myself and another Auburn Villa resident took that walk Sept 30 to see for ourselves. The path had been cleared of brush, branches and general debris to the extent that it was a very pleasant walk, much more lovely than the sidewalk above with cars and traffic. The trees maintain darkness as well as cooling on a hot day so I don't know if I would always feel safe especially when unkempt men were at the entrance bench. Shelly Jump; a mentally ill woman was found dead in her tent along the same creek last January 18. On our walk we encountered Rick the older homeless gentleman that frequents the area, drinking beer and occupying the only picnic table. He mumbled incomprehensible words after being kindly approached in conversation. Last Saturday I saw 7 young men at the bench who appeared to be preparing to camp with their sleeping bags and backpacks. These latter two situations, as is not unlawful, nevertheless create fear in elderly walking to nearby stores or to use a park picnic table. Quite frankly, after seeing the beautiful creek I would love to walk my grandson on a picnic to that table.

The question is - where *can* homeless people congregate? Does that idea accompany city council's future plans? The dilemma is *not to add to* already existing problems by zoning for a shelter there. Loitering numbers have increased in hideaway areas. The police cannot be everywhere and unless there is a law broken they cannot and should not do anything.

In my opinion Shelter zoning should be zoned light industrial close to other facilities such as food banks, medical and mental health clinics and social work services. Most communities I'm familiar with clump together several social services with housing to save city funds. I appeal to the Auburn City Council to find a way to *reconsider* those options with counterparts in Placer County.

On a related issues, in my talking to various people I found that my neighborhood area is sensitive to becoming an Auburn Historic designated place for the Giant Statues plus the scores of additional smaller statues also fashioned by Dr Fox. The statues may someday be considered by the Arts Council as a tourist designation for art in public places especially if they are set in a park environment. In addition Auburn Ravine Creek is designated as part of the ecosystem restoration plan in bringing back the salmon and steelhead under SARSAS.org. These three issues are for us as a community to consider especially when thinking of Auburn as bringing in revenue from tourist dollars.

Respectively submitted,



Bhakti Banning
618 Mikkelsen Dr, #11
Auburn, CA 95603
530 820-3868

October 5, 2013

City of Auburn
City Council
1225 Lincoln Way
Auburn, CA 95603

RECEIVED

OCT 04 2013

BY: _____

ATTACHMENT 9

City Council,

My husband and I own a residence on Shirley Street, very close to the Grocery Outlet Center. We are very concerned about the proposed rezoning of the parcels on Highway 49 and Auburn Ravine to allow for operation of homeless shelters permitted by right, virtually without further City approval.

While the State requires every city to name such a zone within city limits, locating such a facility in the proposed area would be both ill-advised and ill-fated. The proximity of the proposed parcels to children attending EV Cain School and seniors living in the many complexes in that area could easily lead to unfortunate incidents for which the City could surely be held responsible.

Studies have shown that the most frequent causes of homelessness are mental illness, substance abuse, lack of affordable housing, and release from prison. Apparently the California Supreme Court has declared it unconstitutional to restrict where offenders released from prison can reside, but that does not mean their decision was prudent. Acknowledging the needs of the homeless for an emergency shelter during cold and wet weather, locating a shelter in an area more remote from the main thoroughfare through our town – an area closer to services such as mental health services, residential substance abuse, parole services and benefits assistance – would be a better choice.

Additionally, the proposed occupancy rate of 25 residents for up to two months each, with a suggested inclement-weather rate of up to 75, plus the recommended staff of 1 for every 4 residents, is excessive for this area – the major intersection and entrance into town. Plus, judging from the experience of other cities, this facility could easily become a magnet to attract additional homeless and unemployable transients that would “hang out” in the area.

Despite the limited time until the final deadline in February, the council should be seeking an optimum resolution to this difficult, State-mandated requirement. We believe that these nine proposed lots would be a very unfortunate choice. Perhaps considering other M-1 or C-3 or even overlay zones located farther from this major intersection and entrance into town, or even re-examining previously rejected areas, would better suit Auburn residents and the image this area should project.

Sincerely,

Jane Flickinger

Jane Flickinger
11700 Quail Rd.
Auburn, CA 95602

James Cummings

James Cummings
11700 Quail Rd.
Auburn, CA 95602

Testimony of Otto Fox
On behalf of Kenneth and Georgia Fox
October 7, 2013

SB 2, Chapter 633, Statutes of 2007

Chapter 633 as enacted on January 1, 2007 requires that the housing element of a general plan of a city and/or county contain an assessment of housing needs, including an inventory of land suitable for residential development, and a program to identify adequate sites with zoning where emergency shelters are allowed.

Background:

Homelessness is a statewide problem that affects many cities and counties. An estimated 360,000 individuals and families are considered homeless in California. Many causes of homelessness are mental illness, substance abuse, prison release, and lack of affordable housing. Because homelessness affects people of all races, gender, age, and geographic location there is a growing need for every city and county to plan for the location of adequate emergency shelters.

Many people experiencing homelessness, primarily youth and single individuals, need shelter but also have a need for residential substance abuse and mental health services. In order to ensure access to services in every city and county for homeless individuals and families, it is important that cities and counties plan for these services to address the special needs and circumstances of this population.

Under this law, an assessment of emergency shelter needs should contain an analysis of population and employment trends and an inventory of land suitable for residential development, including vacant sites having potential for redevelopment with the relationship of zoning and public facilities, schools and services to these sites.

Assumption: *Public facilities and services to these sites include those services which meet the needs of the population being housed, including, but not limited to - residential substance abuse, prison release, parole services, and mental health services.*

The law requires identification of a zone or zones that can accommodate at least one year-round emergency shelter. If the local government can't identify such zone(s) with sufficient capacity, efforts shall be made to amend its zoning ordinance to meet these requirements.

The need for an emergency shelter shall be assessed based on annual and seasonal need. The assessment shall identify public and private nonprofit corporations known to the local government which have legal

and managerial capacity to acquire and manage these housing developments.

Assumption: Assessment of emergency shelter locations must consider where these local and non-profit corporations are located. Such services should include but not be limited to county public assistance programs, county prison facilities, parole services and county health services (i.e. locations near to the current DeWitt county facilities, such as Auburn Muni Airport, which is 1.4 miles from hospital services and 1.6 miles from county jail, parole and health services). Locating emergency shelters under this assumption would be considered "Feasible", as defined in the aforementioned chaptered legislation, in a means capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Previous Action Taken by the City of Auburn

Chapter 633, was signed on January 2007, and addressed in the Auburn's current Housing Element (i.e. the 2008 Element) which was reviewed and certified by the Department of Housing and Community Development (HCD). Specifically, Auburn adopted their plan in December 2008, indicating their intentions to rezone M-2 by December 2009. This plan put Auburn in compliance with State requirements, thereby qualifying for the 2010 HOME program (administered by HCD). The HOME program enabled the City to assist four low-income families with housing rehabilitation work and two low-income families with home purchases. Unfortunately Auburn did not rezone within the one-year requirement, despite the benefit received.

On April 8th 2013, on a 5-0 vote, the Planning Commission again voted to allow the Emergency Shelter in the M-2 area with Borland Ave as the best possible site. However, this recommendation was later disregarded by the City Council, based on fencing requirements, and replaced with the current C-3 location.

The next update to the City's Housing Element is due this year (deadline is 10/31/13). The State will not certify the City's 2013 Housing Element until the City has completed its zoning for emergency shelters.

AB 113, Chapter 463, Statutes of 2005, Parole Placement

Under existing law, an inmate who is released on parole for certain sex offenses involving child victims or dependent persons is prohibited from residing within one-quarter mile of any public or private school, for the duration of his or her parole.

This bill (AB 113, Chapter 463) would prohibit, in addition, an inmate who is released on parole for those sex offenses whom the Department of Corrections and Rehabilitation determines to pose a high risk to

the public from residing within one-half mile of a public or private school.

Concern: There will be some person(s) that fits this category who will reside in the proposed location despite parole requirements, making these properties unacceptable due to their proximity to E.V. Cain School. This could result in harm to Auburn's vulnerable population as well as a potential liability to the city.

How other Cities or Counties dealt with this issue:

Orange County - made a presentation before the Fullerton City Council on February 1, 2013 and hosted a Community Meeting on March 11 at the Fullerton Main Public Library. The County also held additional meetings with the Fullerton School District to discuss the issues of emergency shelters. Accordingly, the following was proposed:

- The Shelter Operator will coordinate with the Fullerton Police Department, Homeless Liaison Officers on intake and internal security plans to insure the safety of the surrounding community
- A designation of emergency shelter site will take into account all applicable laws, regulations and ordinances, including but not limited to, city ordinances and State statutes related to the prohibition of registered sex offenders in certain areas in the vicinity of schools, parks and day care centers. This includes the terms of "Jessica's Law," which states that registered sex offenders can't live within 2,000 feet of a school.

City of Concord stated that no emergency shelter shall be located:

- (1) Within 300 feet of any Residential District;
- (2) Within 300 feet of another emergency or homeless shelter; and
- (3) Within 1,000 feet of an elementary school, middle school, high school, public library, or public park."

As stated: "The distance between an emergency or homeless shelter and the uses and districts described above shall be measured in a straight line, without regard to intervening structures or objects, from the closest, portion of the building or structure in which the emergency or homeless shelter is located to the boundary of the use or district described above."

ⁱUsing this criterion and measuring from the point where an emergency shelter may be built (on the nine lots) to the E.V. Cain Playground, the following was observed:

- Lot 1 - is 865 feet from the E.V. Cain Playground;
- Lot 2 - 713 feet;
- Lot 3 - 457 feet;
- Lot 4 - 390 feet;
- Lot 6 - 414 feet;
- Lot 7 - 584 feet; and,
- Lots 8 and 9 - 652 feet.

ⁱⁱThis is contrary to the draft "Initial Study - Evaluation of Environmental Impacts" which indicates that these 9 properties have "No Impact" to public services and schools.

Reconsider the Auburn Municipal Airport

On April 16, 2013, the City of Auburn requested that the Placer County Transportation and Planning Agency (PCTPA) provide an analysis on whether the Airport Industrial property would be a compatible land use for Emergency Shelters. Accordingly, the following was discovered:

- Under the Placer County Airport Land Use Compatibility Plan (ALUCP), there is no specified land uses listed for Emergency Shelters; however, there is nothing that precludes them.
- An emergency shelter could potentially be included in the institutional and commercial land use category for purposes of the ALUCP
- No emergency shelter should be located in any compatibility zone except Zone C-1 of the Municipal Airport
- An emergency shelter would be consistent with airspace protection provisions provided no structure exceeds the height limitations identified for Zone C-1.
- Overall rating: "Compatible subject to Conditions" (as provided in the ALUC response)

Based on these findings and provided an emergency shelter is categorized as commercial land use consistent with hotels and motels, emergency shelters could be considered in ALUCP Compatibility Zone C1, with restrictions. As a result, shelters would generally be limited to the properties on the south side of Earhart Avenue. However, according to the PCTPA, this limitation would not be consistent with the State statute since the use would not be permitted throughout all of the AI-DC Zone.

This finding is contrary to the zoning overlay process, which enables the City to identify specific locations which it believes to be appropriate for emergency shelters, without the need to identify/select an entire zone district (i.e. individual lots or areas can be selected without regard to the zone designation of the properties).

How other Cities or Counties dealt with this issue:

ⁱⁱⁱRiverside County - A proposed ordinance would allow emergency shelters with a maximum estimated 80 people within a building approximately 10,000 sq. ft. in size. Initial findings of the County Airport Land Use Commission (ALUC) found this proposal to be inconsistent with compatibility Zones A, B1, and C standards for average intensity. However, ALUC staff revised their opinion to tie the number of beds to the distance from the runway, thereby, stating: *"No emergency shelter shall be located within 1,700 feet of any point on the centerline of a runway of a public-use airport that is less than 6,000 feet in length."*

This same limitation could apply to the south side of Earhart Avenue.

Approve Auburn City Planning Commission Proposal

It is requested that the City Council approve the September 17th Planning Commission recommendation to consider M-1 and M-2 Zones as part of the Emergency Shelter Overlay. On their 5-0 decision they recognized the concerns of Auburn's citizenry and recommended moving the proposed zoning overlay away from the local schools, senior housing, and businesses in the area.

ⁱ Based on Google Maps Distance Calculator

ⁱⁱ Section XIV. Public Services - "Initial Study - Evaluation of Environmental Impacts"

ⁱⁱⁱ County of Riverside Airport Land Use Commission - January 13, 2011 [continued from December 9, 2010] (Reconsideration -originally considered on October 14, 2010)

Roger Luebke
1136 Humbug Way, Auburn

October 5, 2014

To Auburn City Council,

I am unable to attend the October 14th meeting but would like to express my opinion on the rezoning of the identified parcels for emergency shelters. I feel that this is a not a good site for the following reasons.

1. The parcels are prime retail space. The parcels fronting Hwy 49 are easily accessible from two freeway exits and are in need of redevelopment. Putting an ES designation on these lots seriously deter any developer to come in and put in retail/restaurants/entertainment into that location. In reality, the impact of an emergency shelter nearby may not be significant but the stigma is.
2. The concept of an emergency shelter is to give those in need a place to reorganize their life to move forward. Placing the shelter in this location keeps them in the current homeless environment they are trying to escape. Many of the homeless in the area will not take advantage of the shelter but will spend the day mingling with those that want out. Bad environment.
3. Transportation is limited to the local city bus. To get to the services they need, County offices, education, and employment centers, will require time consuming transfers and will discourage their use.
4. This area was recently upgraded with higher quality retail. Designating this area for an emergency shelter may discourage other retail and/or loss of existing retail. This would have a negative impact on our tax base.

I have studied the zone map and drove through areas that may be more suitable for this designation. In my opinion the best location for this designation is the mixed use zoning district #8 (M-1/C-1). Why?

1. Close to transportation. From here they can get on a bus to the County offices, Sierra College and light rail as well as the City transportation. They also have Amtrak that can take them to employment centers in Sacramento.
2. Removes them from the homeless environment that surrounds the parcels currently under discussion. This will give them a better chance of success.
3. Library located adjacent to this zone. Here they can use computers for job searches or seek education.
4. Placer County Education is located here and would be a good resource to help them in their education needs.
5. Churches nearby to give them a place to fulfill their spiritual needs.
6. Close to Salvation Army to obtain needed services.
7. Less traffic and congestion for them and their family.

It is clear that the District #8 is far superior to the parcels currently being reviewed. We need to give the people in need of an emergency shelter every advantage we can. This would be a good start. I urge you to reconsider and recommend adding the ES designation to District #8.

Respectfully submitted,





CITY OF AUBURN

Community Development Department

1225 LINCOLN WAY • AUBURN, CA 95603 • PHONE (530) 823-4211 • FAX (530) 885-5508

EXHIBIT A

NOTICE OF INTENT NEGATIVE DECLARATION

Project: Emergency Shelter Rezone – Auburn Ravine Road Project Area

File No.: RE 13-03 (Auburn Ravine Project Area)

Applicant: City of Auburn

Description of Project: The City of Auburn is proposing to Rezone nine lots along Auburn Ravine Road, north of Elm Avenue, from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES). The C-3-ES zone district allows Emergency Shelters as a permitted use type in addition to all other permitted and conditionally permitted uses allowed in the existing C-3 zone. Emergency Shelters are subject to certain development standards as permitted by the California Government Code, including but not limited to occupancy, parking, on-site management, and facility services.

Project Location: 391 Auburn Ravine Road (APN 001-044-043);
and Assessor's Parcel Number: 301 Auburn Ravine Road (APN 001-044-042);
271 Auburn Ravine Road (APN 001-044-041);
251 Auburn Ravine Road (APN 001-044-019);
424 Grass Valley Hwy (APN 001-044-030);
420 Grass Valley Hwy (APN 001-044-029);
414 Grass Valley Hwy (APN 001-044-027); and
402 Grass Valley Hwy (APN 001-044-(017; 026))

Statement: A review of the information submitted and additional investigation by the Community Development Department indicates that this project WILL NOT have a significant adverse impact on the environment as detailed in the Initial Study.

Review Period: 8/29/13-9/17/13

Public Hearing Date: The public hearing for this project is tentatively scheduled for review by the Auburn Planning Commission on Tuesday, September 17, 2013 at 6:00 p.m. in the Auburn City Council chambers, 1225 Lincoln Way, Auburn, CA 95603.

Document Availability: Copies of the Negative Declaration are available for review at, and comments can be submitted to, the Auburn Community Development Department; 1225 Lincoln Way, Room 3; Auburn, CA 95603.


Reviewer: Reg Murray, Senior Planner
Auburn Community Development Department


Date



**CITY OF AUBURN
COMMUNITY DEVELOPMENT DEPARTMENT**

INITIAL STUDY

**Emergency Shelter Rezone
Auburn Ravine Road Project Area
(File RE 13-03)**

August 29, 2013

City of Auburn
Emergency Shelter Rezone
Auburn Ravine Road Project Area
File RE 13-03

Background:

In 2007, the State enacted Senate Bill 2 (SB 2) which amended California Government Code Section 65583 to require that jurisdictions (i.e. Cities and Counties) plan for and accommodate emergency shelters by right, without the necessity of a discretionary permit. An emergency shelter is generally defined as housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less. SB 2 requires that jurisdictions must identify at least one zone district that can accommodate at least one year-round emergency shelter; and, emergency shelters shall be allowed as a permitted use (i.e. jurisdictions cannot require a use permit or other discretionary permit).

The City of Auburn City Council met on several occasions over the last several months (April 8th, May 13th, July 22nd, and July 29th) to consider options for allowing emergency shelters in conformance with SB 2. On August 12, 2013, the Auburn City Council identified nine parcels as potential locations for emergency shelters. The subject parcels (described below) are generally located north of Elm Avenue and west of Auburn Ravine Road and are currently part of the Regional Commercial (C-3) zone district. The City Council directed staff to establish a new zone district that uses the C-3 zone as the base zone and adds emergency shelters as a use permitted "by right" (i.e. the Regional Commercial – Emergency Shelter (C-3-ES) zone district). This initial study is associated with the Rezone entitlement that changes the zoning of the nine project area parcels from C-3 to the new C-3-ES zone district.

Initial Study:

The City of Auburn prepared this Initial Study in accordance with the California Environmental Quality Act (CEQA) Guidelines Section 15063 (Initial Study). This initial study assesses the potential environmental impacts associated with the Rezone proposal noted above that would change the zone designation of the nine subject parcels from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES). The C-3-ES zone district includes all permitted and conditionally permitted uses as per the existing C-3 zone, but also includes Emergency Shelters as a Permitted use type.

The analysis provided herein is only associated with the change of the zoning designation (i.e. from C-3 to C-3-ES); and is not associated with any specific development request. Any subsequent requests for an emergency shelter that requires new construction would necessitate separate entitlements (e.g. Design Review) and would be subject to its own separate environmental review.

Public Review:

This Initial Study/Mitigated Negative Declaration will be circulated for a **20-day** public review commencing **August 29, 2013**. Copies of this Initial Study and cited References may be obtained at the City of Auburn Community Development Department at the address noted below. Written comments on this Initial Study/Negative Declaration may also be addressed as noted below.

Project title: Emergency Shelter Rezone - Auburn Ravine Road Project Area (Files RE 13-03)

Lead agency name and address:

City of Auburn Community Development Department
1225 Lincoln Way, Room 3
Auburn, CA 95603

Contact person, phone number, and e-mail:

Reg Murray, Senior Planner
1225 Lincoln Way, Room 3
Auburn, CA 95603
530-823-4211 x 140
rmurray@auburn.ca.gov

Project location(s):

The Emergency Shelter Rezone for the Auburn Ravine Road project Area consists of nine properties within the City of Auburn, generally located west of Auburn Ravine Road and north of Elm Avenue (Attachment 1). The properties include the following:

Lot	APN	Address	Size (acres)
1	001-044-043	391 Auburn Ravine Road	±1.57
2	001-044-042	301 Auburn Ravine Road	±0.82
3	001-044-041	271 Auburn Ravine Road	±0.94
4	001-044-030	424 Grass Valley Hwy	±0.51
5	001-044-019	251 Auburn Ravine Road	±0.78
6	001-044-029	420 Grass Valley Hwy	±1.76
7	001-044-027	414 Grass Valley Hwy	±2.35
8	001-044-026	402 Grass Valley Hwy	±0.14
9	001-044-017	402 Grass Valley Hwy	±0.31

Project sponsor's name and address:

City of Auburn, Community Development Department
1225 Lincoln Way, Room 3
Auburn, CA 95603

General Plan and Zoning designations:

General Plan Land Use Designations: The land use designation for the project area is Mixed Use (MU). The Mixed Use designation allows for combination of commercial uses and higher density residential uses. Land use designations for the adjacent properties include:

North: Commercial (COMM)
East: Commercial (COMM)
South: Mixed Use (MU)
West: Mixed Use (MU)

Zoning Designation: The project area is located within the Regional Commercial (C-3) zone district (Attachment 2). The C-3 zone allows a wide variety of commercial, retail, and office uses. Zoning for the adjacent properties include:

North: Neighborhood Commercial (C-1) and C-3
East: C-3
South: C-3
West: C-3

Surrounding Land Uses: The project area includes vacant, undeveloped, and under-developed properties (Attachment 3). Uses include (from north to south) offices, automotive repair, a vacant lot, a mortuary, a bank, offices, a drug store, a grocery, and a smog check station. The land use designation of the properties adjacent to the project area includes:

North: Retail
East: Vacant commercial lot and a commercial shopping center
South: Gas station; office complex
West: Vacant commercial lot (northern end) and various retail commercial (southern end)

Environmental Setting

The project area is located near the core of the regional commercial zone and is bounded on the east by Auburn Ravine Road, the south by Elm Avenue, and the west by Highway 49 and a vacant commercial lot (Attachment 3). The majority of the project area as already been developed with various businesses situated on Lots 1 and 3-9. The remaining lot (Lot 2) is vacant and undeveloped, but has been graded previously and could accommodate future development. A small riparian creek corridor is located to the west of, and has minor encroachment onto the western fringes of, Lots 1-3.

Aesthetics: The project area does not have any scenic views or vistas. With the exception of a small riparian creek corridor to the west of the northern portion of the project area, views from the site include various existing commercial, retail, and office developments.

Air Quality: The proposed project area is within the Sacramento Valley Air Basin (SVAB) and under the jurisdiction of the Placer County Air Pollution Control District (PCAPCD). The SVAB is classified as a severe non-attainment area for federal standards for ozone. Placer County is also designated as a serious non-attainment area for State ozone ambient air quality standards and non-attainment for State particulate matter standards (CARB 2006).

Biological Resources: The project area is largely built out and has few remaining natural resources. Based on the level of build out in the project area and a corresponding lack of natural resources, a biological resources survey was not prepared for the project.

Cultural Resources: A cultural resources study has not been prepared for the project area. Based on the level of existing development in the project area, no significant resources are anticipated on the site.

Circulation: The project area has access to Auburn Ravine Road, Elm Avenue, and Highway 49.

Geology and Soils: A geotechnical report has not been prepared for the project area, but may be required in conjunction with any necessary design review for a subsequent Emergency Shelter project. There are no Alquist-Priolo mapped earthquake fault zones within the project area. The Cleveland Hills Fault, located approximately 36 miles northwest of Auburn, is the nearest known active fault.

Hazards and Hazardous Materials: A preliminary search of available environmental records on the Placer County Environmental Health web-site indicated that the project site is not listed in any database of hazardous materials sites. Hazardous materials in the vicinity of the project site could include minor amounts of products typically used for automotive repair (i.e. oil; coolant), maintenance and cleaning, and construction.

Hydrology and Water Quality: No natural waterways occur on the project site, though Auburn Ravine Creek is located immediately to the west. A hydrologic study could be required in conjunction with any necessary design review for a subsequent Emergency Shelter project.

Land Use and Zoning: The land use designation for the project area is Mixed Use (MU) and the zoning designation is Regional Commercial (C-3).

Noise: The project area has no significant noise generators, though it is located adjacent to or near major roadways. The project area is adjacent to or within 700' of Highway 49 and is between 625'-950' of Interstate 80.

Utilities: Underground utilities and infrastructure have been constructed in conjunction with existing development. These improvements include curb, gutter and sidewalk, municipal sanitary sewer lines, PCWA water lines, underground communication lines, and a storm drain system.

Project Description:

The City of Auburn is proposing to rezone nine lots along Auburn Ravine Road (i.e. the Auburn Ravine Project Area; Attachment 2) from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES). The C-3-ES zone district allows Emergency Shelters as a permitted use type in addition to all other permitted and conditionally permitted uses allowed in the existing C-3 zone. Emergency Shelters are subject to certain development standards as permitted by the California Government Code, including but not limited to:

1. Occupancy – maximum of twenty-five (25) persons;
2. Parking – one space per staff and one spacer per four residents
3. On-site management standards
4. Facilities services including common area, laundry, showers, storage, and telephones

Regulatory Setting:

No Responsible and/or Trustee Agency permits are required.

Required Agency Approvals:

City of Auburn Planning Commission – Review and provide recommendations to the Auburn City Council for the Emergency Shelter Rezone for the Auburn Ravine Project Area (Attachment 1).

City of Auburn City Council – Approval of the Emergency Shelter Rezone for the Auburn Ravine Project Area.

Initial Study

Evaluation of Environmental Impacts:

- 1) A brief explanation is required for all answers except "NO Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to a project like the one involved (e.g. the project falls outside a fault rupture zone). A "NO Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g. the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) **"Potentially Significant Impact"** is appropriate if there is substantial evidence that an effect is significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an Environmental Impact Report (EIR) is required.
- 4) **"Potentially Significant Unless Mitigation Incorporated"** applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
- 5) **"Less-Than-significant Impact:"** Any impact that is expected to occur with implementation of the project, but to a less than significant level because it would not violate existing standards.
- 6) **"No Impact:"** The project would not have an impact to the environment.
- 7) Earlier analyses may be used where, pursuant to Tiering, Program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or Negative Declaration.
- 8) Lead agencies are encouraged to incorporate into the checklist reference to information sources for potential impacts (e.g. general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.


ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gases | <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning Housing | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input checked="" type="checkbox"/> None |
| <input type="checkbox"/> Mandatory Findings of Significance | | |

DETERMINATION: (To be completed by the Lead Agency) On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.


Reg Murray, Senior Planner

8/29/13
Date

EVALUATION OF ENVIRONMENTAL IMPACTS:

I. AESTHETICS –

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a)-c) No scenic vistas or scenic resources are located in the Auburn Ravine Road project area. The proposed rezone adding the emergency shelter use type to the Regional Commercial zone will not result in any adverse changes to any scenic vistas. Emergency shelters are consistent with other existing use types currently allowed in the project area, therefore, shelters would not create any new impacts.
- d) The Rezone will not introduce any new light sources to either project area. Light sources for emergency shelters will be consistent with the other use types currently allowed at each site and will be required to comply with the City's lighting standards. In the future, any proposed development will be reviewed against the City's standards and may have conditions of approval requiring that light fixtures be designed to reduce light and glare on adjacent properties and include glare screens when appropriate.

Mitigation Measures

No mitigation measures are necessary.

II. AGRICULTURE RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a)-e) The project area include land zoned for commercial uses. No agricultural or timberland activities currently occur on site or in the project vicinity. No land designated by the state of California as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance occurs on the project site; and, the site is not under a Williamson Act contract.				

Mitigation Measures

No mitigation measures are necessary.

III. AIR QUALITY –

Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The project site is located in the Sacramento Valley Air Basin, and under the jurisdiction of the Placer County Air Pollution Control District. The region is in non-attainment for state and federal ozone standards, the federal particulate matter (PM2.5) standard, and the state particulate matter (PM10) standard, but meets all other state and federal air quality standards.

- a)-e) The project adds the emergency shelter use type to the current list of commercial uses. The emergency shelter use type is consistent with other existing use types in the Regional Commercial zone; and, the use type does not result in any specific significant impacts to air quality. Air quality impacts, along with potential mitigation measures, will be evaluated and addressed in association with proposed development.

Mitigation Measures

No mitigation measures are necessary.

IV. BIOLOGICAL RESOURCES --

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-f) The project area is largely developed and no candidate, sensitive, or special status species are known to exist in the project area. Inclusion of the emergency shelter use type in association with the C-3-ES rezone will not affect any biological resources, including the riparian habitat to the west of the project area. The proposal will not conflict with local policies or ordinances protecting biological resources or any habitat conservation plans, nor will it impact the movement of wildlife species. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.				

Mitigation Measures

No mitigation measures are necessary.

V. CULTURAL RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-d) The rezone proposal adds the emergency shelter use type to the current list of commercial uses. Addition of the emergency shelter use type to the list of permitted use types does not have the potential to affect the significance of any historic or archaeological resource. The project area is largely developed and there are no known historical or archaeological resources present on-site. The rezone entitlement will not destroy paleontological or geologic resources or disturb human remains. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.

Mitigation Measures

No mitigation measures are necessary.

VI. GEOLOGY AND SOILS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| iv) Landslides? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Result in substantial soil erosion or the loss of topsoil? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d) Be located on expansive soil, as defined in the Building Code, creating substantial risks to life or property? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
- a-d) Addition of the emergency shelter use type to the list of permitted use types does not expose persons to potential geologic-related hazards. Emergency shelters are consistent with other existing use types currently allowed in the project area, therefore, shelters would not create any new impacts. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.
- e) Sanitary sewer service is available to the project area; therefore, there are no potential impacts associated with septic systems.

Mitigation Measures

No mitigation measures are necessary.

VII. GREENHOUSE GASES --

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|-------------------------------------|--------------------------|
| a) Generate Greenhouse emissions, either directly or indirectly, that may have a significant impact on the environment. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Conflict with any applicable plan, policy or regulation of any agency adopted for the purpose of reducing the emissions of greenhouse gases. | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
- a-b) The proposed project is not anticipated to generate greenhouse emissions, either directly or indirectly, that may have a significant impact on the environment.

Mitigation Measures

No mitigation measures are necessary.

VIII. HAZARDS AND HAZARDOUS MATERIALS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wild land fires, including where wild lands are adjacent to urbanized areas or where residences are intermixed with wild lands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The Auburn City Fire Department responds to all calls for emergency services within City limits that include, but are not limited to: fires, emergency medical incidents, hazardous materials incidents, public assists, traffic and vehicle accidents and other situations. The City's fire station on Sacramento Street is located ±0.50 miles from the project area and is staffed 24 hours a day. The City also has mutual aid agreements with adjacent fire service districts.

- a-c) An emergency shelter will not use, transport, store, or dispose of hazardous materials beyond those typical used in association with landscape, maintenance and household cleaning purposes. The materials would not pose a hazard to residents or the public.

- d) The Placer County Department of Environmental Health website does not identify the use of hazardous materials at the project site.
- e-f) The project area is not within an airport land use plan and is not within two miles of any airport, and would therefore have no impact on the safety of people residing or working in the project area due to proximity to an airport.
- g) The proposed rezone would not adversely affect implementation of the City's emergency response plan and would not require update of the CAD emergency response system currently in use by the City.
- h) The project area is not located in, or adjacent to, a wild lands area. As noted above, fire service is provided by the City of Auburn with mutual aid from adjacent fire districts.

Mitigation Measures

No mitigation measures are necessary.

IX. HYDROLOGY AND WATER QUALITY –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

IX. HYDROLOGY AND WATER QUALITY –

Map or other flood hazard delineation map?

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The City of Auburn receives an average of 34 inches of rainfall annually. Rainfall can vary substantially from year to year. At the Auburn recording station, annual precipitation has varied from 14 to 65 inches over the past 50 years. Rainfall is concentrated during winter months with almost 90 percent of annual precipitation typically occurring between November and April (*Placer County 2005*). Site soils fall into Hydrologic Soils Group D, which are soils characterized as having a slow infiltration rate, and thereby a high runoff potential (*Soil Survey of Placer County, California 1980*).

- a-f) Addition of the emergency shelter use type to the list of permitted use types will not violate water quality standards, deplete groundwater supplies, alter existing drainage, or increase water runoff. Emergency shelters are consistent with other existing use types currently allowed in the project area, therefore, the addition of shelters to the list of permitted use types would not create any new impacts. Potential impacts associated with any future development, along with associated mitigation measures, will be evaluated and addressed at the time of the proposed development.
- g-i) The majority of the project area is located in Flood Zone X (areas determined to be outside the 500-year flood plain) according to the Flood Insurance Rate Map for the County of Placer, Map No. 06061C0426 F dated June 8, 1998. Portions of Lots 4-9 (Attachment 1) are shown as being within a mapped flood hazard area associated with the original creek alignment; however, the creek has been piped and no longer affects these properties, therefore there is no exposure of people or structures to a significant risk of loss, injury or death involving flooding.
- j) The project area is not located within an area subject to inundation by seiche, tsunami, or mudflow; therefore, there are no impacts.

Mitigation Measures

No mitigation measures are necessary.

X. LAND USE AND PLANNING —

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|---|--------------------------------------|---|------------------------------------|-------------------------------------|
| a) Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| | | | | |
| a) The change of the zone designation for the project area from C-3 to C-3-ES will not physically divide an established community. No impacts would result from project implementation. | | | | |
| b) The proposed rezone of the project area is consistent with the City's adopted Housing Element and in accordance with Housing Element law. Subsequent development within the project area will be in accordance with the City of Auburn Zoning Ordinance and related development standards. | | | | |
| c) There are no habitat conservation plans or natural community conservation plans for either project area. | | | | |

Mitigation Measures

No mitigation measures are necessary.

XI. MINERAL RESOURCES –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a-b) Although gold deposits are known to remain in the foothills area, no known mineral resources of value to the region are known to exist within the boundaries of the proposed project area. No known mine sites are or have historically been located on the subject properties. The proposed project would not result in the loss of availability of any known mineral resource.

Mitigation Measures

No mitigation measures are necessary.

XII. NOISE—

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-d) The proposal adds the emergency shelter use type to the current list of commercial uses in the Regional Commercial zone. Addition of the emergency shelter use type to the list of permitted use types will not expose persons to potential noise-related hazards. It is anticipated that noise levels generated by the proposed project would not exceed standards established in the City of Auburn General Plan and would be consistent with, and compatible to, uses adjacent to the site. Proposed development in the future will be reviewed and evaluated to determine project specific impacts and associated mitigation measures.				
e-f) The proposed project is not located within an airport land use plan or within two miles of any public airport or private airstrip.				

Mitigation Measures

No mitigation measures are necessary.

XIII. POPULATION AND HOUSING –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed project will bring the City's Housing Element into compliance with Housing Element law and will make it easier to provide housing for the homeless population in the City of Auburn.

- a) An emergency shelter will not induce population growth. Any shelters provided as a result of the Rezone would serve the existing needs of the homeless community.
- b-c) The project area includes non-residential development, under-developed lots (Lots 1 & 3), or undeveloped property (Lot 2). Accordingly, the proposed rezone would not displace housing or a substantial number of people.

Mitigation Measures

No mitigation measures are necessary.

XIV. PUBLIC SERVICES —

Would the project:

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Fire Protection: Fire service for the project area is provided by the Auburn City Fire Department. Auburn Fire also has mutual aid agreements with other fire protection agencies to aid in emergency response, including the California Department of Forestry & Fire Protection (Cal Fire), the Newcastle Fire Protection District, and Placer County Fire.

Police Protection: The project area is within the jurisdiction of the City of Auburn Police Department. The existing police department facility was planned to accommodate the law enforcement needs of population growth within the project area (General Plan Environmental Impact Report 1993). Additional law enforcement assistance is provided within the area by the Placer County Sheriff's Department and the California Highway Patrol.

Schools: The proposed project lies within the Auburn Union Elementary and Placer Union High School District. Children residing in the project vicinity attend Skyridge Elementary School, E.V. Cain Middle School or Placer High School, according to their age group.

Parks: Park facilities within City limits are maintained by the Auburn Recreation District. The Auburn State Recreation Area is located outside the City limits approximately one mile east of the project area.

Other Public Facilities: Operation of an emergency shelter will not substantially impact other public facilities (libraries; roads).

- a) The proposed Rezone adding the emergency shelter use type to the list of use types currently permitted in the C-3 zone will not impact public services. Emergency shelters are consistent with other existing use types currently allowed in the project area, therefore, shelters would not create any new impacts. Any new development to provide an emergency shelter will pay all appropriate impact fees at the time of permit issuance.

Mitigation Measures

No mitigation measures are necessary.

XV. RECREATION –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might, have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a-b) Due to the limited size of, and population at, an emergency shelter, the operation and/or construction of an emergency shelter will not substantially affect recreational facilities and will not generate the need for additional park facilities.

Mitigation Measures

No mitigation measures are necessary.

XVI. TRANSPORTATION/TRAFFIC –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-g) Many of the occupants using an emergency shelter lack their own transportation, and staffing is minimal. The project area is on a City bus transit route and is adjacent to sites with commercial services (e.g. grocery store; drug stores). No impacts to transportation and/or traffic are anticipated with the proposed project.				

Mitigation Measures

No mitigation measures are necessary.

XVII. UTILITIES AND SERVICE SYSTEMS –

Would the project:

	Potentially Significant Impact	Less Than Significant With Mitigation Incorporation	Less Than Significant Impact	No Impact
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a-e) The proposal adds the emergency shelter use type to the current list of commercial uses. Addition of the emergency shelter use type to the list of permitted use types will not impact utility services. Due to the limited size of, and population at, an emergency shelter, the operation and/or construction of an emergency shelter will not substantially affect utility services. No new sewer, water, or stormwater facilities will be necessary to support an emergency shelter. No impact will occur.				
f-g) Solid waste within the project area is collected by Auburn-Placer Disposal Service (APDS), a licensed private disposal company. Solid waste is transported to the company's transfer station located on Shale Ridge Road and then to the Placer County Western Regional Landfill. No impacts will occur.				

Mitigation Measures

No mitigation measures are necessary.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:

- | | Potentially
Significant
Impact | Less Than
Significant
With
Mitigation
Incorporation | Less Than
Significant
Impact | No Impact |
|--|--------------------------------------|---|-------------------------------------|-------------------------------------|
| a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| a)-c) The analysis presented herein indicates that the proposal to Rezone the project area from Regional Commercial (C-3) to Regional Commercial – Emergency Shelter (C-3-ES), thereby adding emergency shelters as a permitted use type to the C-3 zone district, will not have a significant effect on the environment. Accordingly, a Negative Declaration can be prepared for the project. | | | | |

REFERENCES

- City of Auburn. *City of Auburn General Plan*. November 1993.
 City of Auburn. *The City of Auburn General Plan Environmental Impact Report*. November 1993.
 City of Auburn. *City of Auburn Municipal Code*. 28 March 2005.

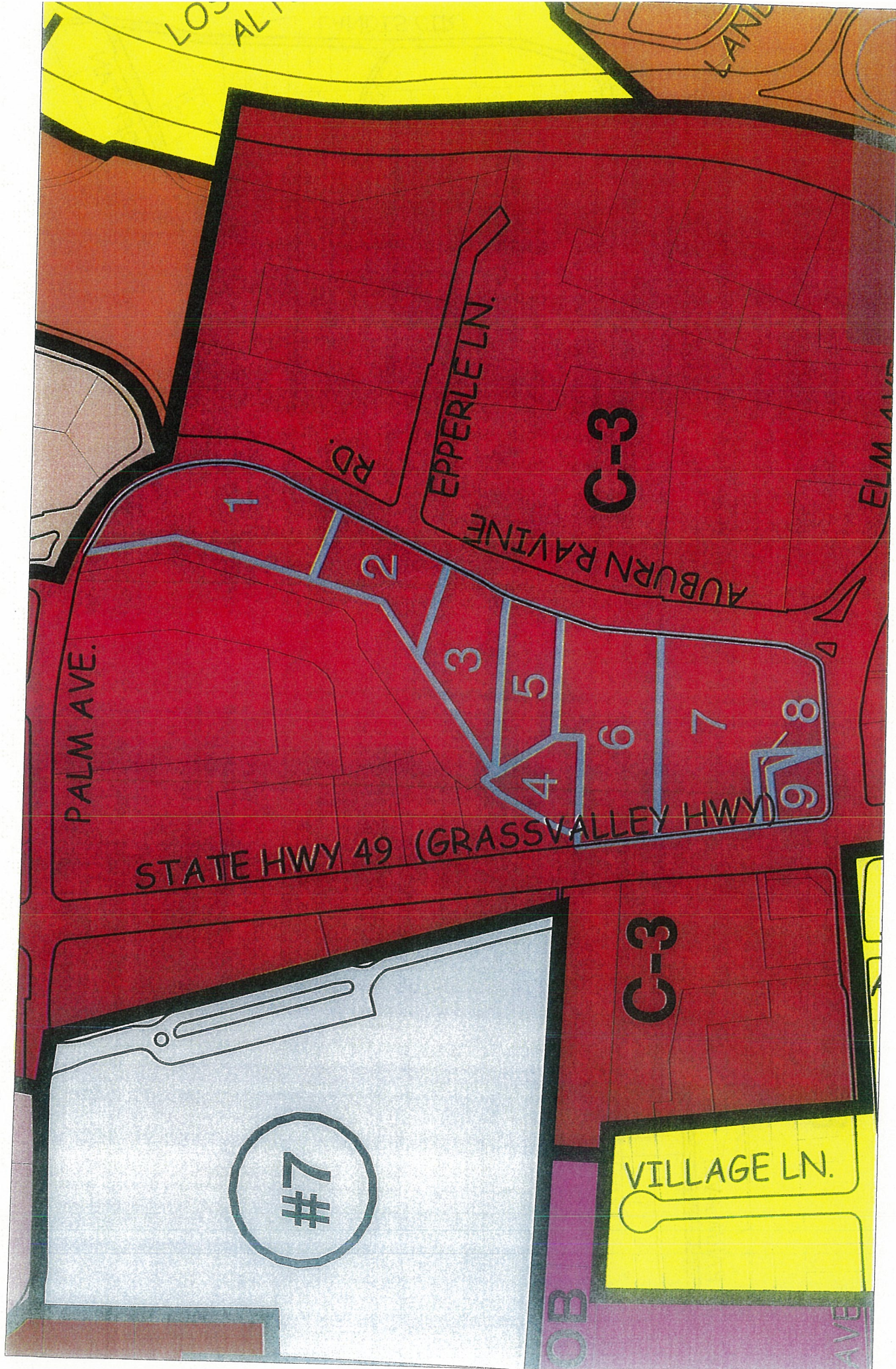
ATTACHMENTS

- Attachment 1** – Vicinity Map
Attachment 2 – Zoning Map
Attachment 3 – Site Aerial Photograph

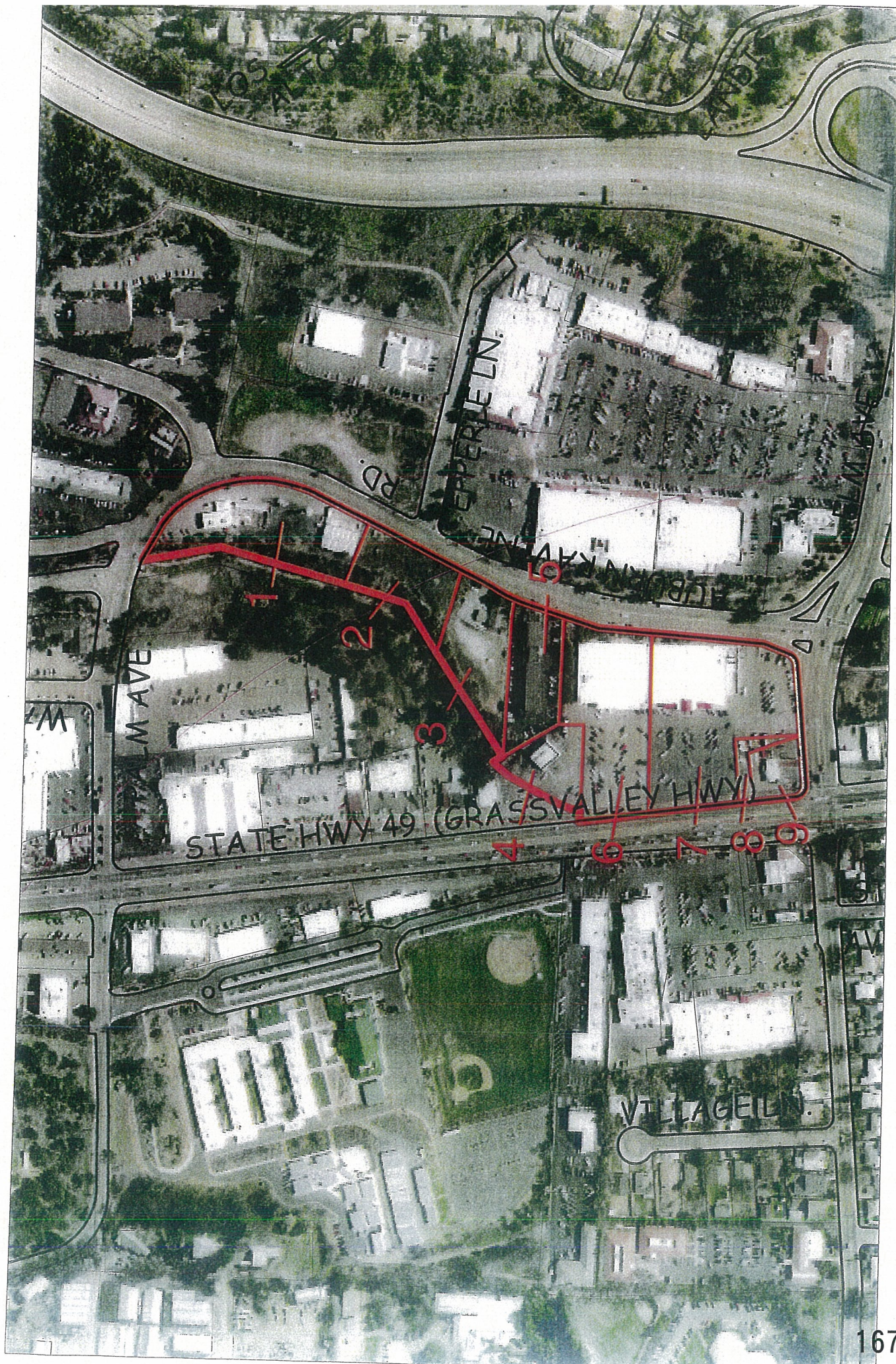
Emergency Shelter Rezone Project Area



Emergency Shelter Rezone Project Area - Existing Zoning



Emergency Shelter Rezone - Site Aerial



ORDINANCE NO. 13 - _____

**AN ORDINANCE TO CHANGE THE ZONE DESIGNATION OF THE AUBURN
RAVINE ROAD PROJECT AREA FROM REGIONAL COMMERCIAL (C-3) TO
REGIONAL COMMERCIAL - EMERGENCY SHELTER (C-3-ES)
FILE# RE 13-3**

THE CITY COUNCIL OF THE CITY OF AUBURN HEREBY FINDS AS FOLLOWS:

- A. Whereas the City of Auburn City Council adopted the following findings of fact for the Initial Study and Negative Declaration prepared for the Rezone to apply the Regional Commercial - Emergency Shelter (C-3-ES) zone district to the properties in the Auburn Ravine Road project area (APN: 001-044-(017, 019, 026, 027, 029, 030, 041, 042, 043)).
1. The City Council, on the basis of the whole record before it (including the initial study and any comments received) finds that there is no substantial evidence that the project will have a significant effect on the environment and that the Negative Declaration reflects the lead agency's independent judgment and analysis.
 2. All documents and materials relating to the proceedings for the project are maintained in the City of Auburn Community Development Department; 1225 Lincoln Way, Room 3; Auburn, CA 95603.
- B. Whereas the City of Auburn City Council adopted the Initial Study and Negative Declaration prepared for the Rezone to apply the Regional Commercial - Emergency Shelter (C-3-ES) zone district to the properties in the Auburn Ravine Road project area (APN: 001-044-(017, 019, 026, 027, 029, 030, 041, 042, 043)).
- C. Whereas the ordinance for the Rezone to apply the Regional Commercial - Emergency Shelter (C-3-ES) zone district to the properties in the Auburn Ravine Road project area (APN: 001-044-(017, 019, 026, 027, 029, 030, 041, 042, 043)) is:
1. Consistent with the General Plan; and
 2. Consistent with the public interest, health, safety, and welfare of the City.
- D. Whereas the ordinance implements the requirements of Senate Bill 2 for the provision of adequate sites for emergency shelters for the homeless.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF AUBURN DOES HEREBY ORDAIN:

Section One: The Zoning Map of the City of Auburn, adopted by reference by Section 159.017 of Chapter 159 of Title XV of the Auburn Municipal Code, is hereby amended to include the Regional Commercial - Emergency Shelter (C-3-ES) zone district and to apply the C-

3-ES zone to the properties in the Auburn Ravine Road project area (APN: 001-044-(017, 019, 026, 027, 029, 030, 041, 042, 043)).

Section Two: The above-referenced property is more particularly described in Exhibit "A" attached hereto and incorporated herein by this reference.

Section Three: All requirements of the California Planning Act, the California Environmental Quality Act, and of Chapter 159 of Title XV of the Auburn Municipal Code, including hearings upon property notice, have been fully complied with by the Planning Commission and the City Council in the adoption of this zoning amendment.

Section Four: This Ordinance shall take effect thirty days following its adoption as provided by Government Code Section 36937.

Section Five: The City Clerk shall certify to the passage and adoption of this Ordinance and shall give notice of its adoption as required by law. Pursuant to Government Code Section 36933, a summary of this Ordinance may be published and posted in lieu of publication and posting of the entire text.

Section Six: If any part of this Ordinance is held to be invalid, such invalidity shall not affect any other provision which reasonably can be given effect without regard to the invalid provision and, to that end, the provisions of this Ordinance are hereby declared to be severable.

DATED: _____, 2013

Kevin Hanley, Mayor

ATTEST:

Stephanie L. Snyder, City Clerk

I, Stephanie L. Snyder, City Clerk of the City of Auburn, hereby certify that the foregoing ordinance was duly passed at a regular session meeting of the City Council of the City of Auburn held on the _____ day of _____ 2013 by the following vote on roll call:

Ayes:

Noes:

Absent:

Stephanie L. Snyder, City Clerk

Emergency Shelter Rezone Project Area

EXHIBIT A

